

EXHIBIT K

From: Mathis, Jessica <jesmathis@pa.gov>
Sent: Wednesday, December 16, 2020 5:52 PM
To: Mathis, Jessica
Subject: PA DOS Email: Certification of Results
Attachments: Election certification Dec 16.pdf; 2020 Results Coversheet.pdf; 2020 Election OFFICIAL RETURNS - Attorney General .pdf; 2020 Election OFFICIAL RETURNS - Auditor General.pdf; 2020 Election OFFICIAL RETURNS - State Treasurer .pdf; 2020 General Election VotesCastReport Representative in the General Assembly.pdf; 2020 General Election VotesCastReport Senator in the General Assembly.pdf; Judgment Copy - Order Majority Opinion - Justice Baer (00507515xBF28F) (1).pdf

Importance: High

Dear county officials-

The department has finalized the statewide and legislative races. We have tabulated your county's results including the grace period ballots for these races. These numbers will shortly be reflected on the website and in the Portal.

Some of you have asked if you can include the grace period ballots on your website. The answer is yes for all state offices, but not at this time for President and Congress. Please see the attached court order.

Also, as we wrap up the 2020 election cycle, please remember to complete your post-election activities:

- ✓ vote history
- ✓ certifying provisional ballots in the Portal
- ✓ submitting absentee ballot reimbursement for military voters
- ✓ entering precinct returns in the Portal

Thank you for your incredibly hard work this year. You have met numerous challenges head on and have succeeded. You have gone above and beyond for the voters of PA.

Stay safe and enjoy the snow!

Jess

Jessica Mathis, Director
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December 16, 2020

TO THE GOVERNOR:

In accordance with Section 1409 of the Pennsylvania Election Code, I do hereby certify that the attached is a true and correct copy of the returns received from the sixty-seven County Boards of Elections for the General Election held November 3, 2020.

Witness my hand and the seal of my
office this sixteenth day of December, 2020.



Katly Brookman
Secretary of the Commonwealth



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF ELECTIONS AND NOTARIES
210 NORTH OFFICE BUILDING
HARRISBURG, PENNSYLVANIA 17120-0029
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OFFICIAL RESULTS
FOR THE NOVEMBER 3, 2020 GENERAL ELECTION

FOR THE OFFICES OF:

ATTORNEY GENERAL
AUDITOR GENERAL
STATE TREASURER
SENATOR IN THE GENERAL ASSEMBLY
REPRESENTATIVE IN THE GENERAL ASSEMBLY

COMMONWEALTH OF PENNSYLVANIA
2020 General Election
November 3, 2020

DEPARTMENT OF STATE

OFFICIAL RETURNS

Attorney General

COUNTY	JOSH SHAPIRO DEMOCRATIC	HEATHER HEIDELBAUGH REPUBLICAN	DANIEL WASSMER LIBERTARIAN	RICHARD L WEISS GREEN
ADAMS	17,707	36,476	1,183	518
ALLEGHENY	443,523	246,537	13,619	9,236
ARMSTRONG	10,673	24,569	609	242
BEAVER	43,446	47,316	1,817	897
BEDFORD	4,743	22,088	312	134
BERKS	92,774	103,359	4,391	2,334
BLAIR	17,511	43,933	1,109	585
BRADFORD	8,000	20,632	645	286
BUCKS	200,303	181,581	6,619	3,522
BUTLER	40,708	68,477	2,090	869
CAMBRIA	25,441	43,046	997	523
CAMERON	673	1,678	43	18
CARBON	12,267	19,932	632	295
CENTRE	38,198	36,006	1,617	981
CHESTER	169,452	134,649	5,371	2,964
CLARION	5,561	13,324	307	138
CLEARFIELD	10,751	27,318	674	269
CLINTON	6,075	10,950	309	137
COLUMBIA	11,705	18,010	681	630
CRAWFORD	13,342	26,756	835	426
CUMBERLAND	60,141	76,012	2,825	1,301
DAUPHIN	78,651	62,622	2,891	1,659
DELAWARE	196,128	120,232	4,518	2,666
ELK	4,997	11,353	264	134
ERIE	69,548	59,664	2,992	1,765
FAYETTE	24,367	35,359	791	415
FOREST	859	1,695	38	26
FRANKLIN	21,874	55,408	1,531	708
FULTON	1,109	6,563	115	37
GREENE	6,227	10,563	277	198
HUNTINGDON	5,559	16,455	344	156
INDIANA	15,013	24,809	661	345
JEFFERSON	5,290	17,002	402	145
JUNIATA	2,648	8,950	197	82
LACKAWANNA	66,748	43,289	1,832	1,205
LANCASTER	109,568	159,165	5,414	2,394
LAWRENCE	18,735	25,399	776	383
LEBANON	23,756	44,716	1,472	650
LEHIGH	96,029	79,664	3,649	2,070
LUZERNE	73,325	73,051	2,533	1,388
LYCOMING	18,048	39,148	1,181	509
MCKEAN	4,972	13,635	365	183
MERCER	21,512	33,973	1,058	522
MIFFLIN	4,866	15,846	344	148
MONROE	43,230	35,501	1,654	997
MONTGOMERY	313,151	178,554	8,397	4,984
MONTOUR	3,943	5,424	222	99
NORTHAMPTON	82,638	77,952	2,994	1,855
NORTHUMBERLAND	14,036	26,353	844	510
PERRY	6,234	17,483	509	230
PHILADELPHIA	572,158	117,140	8,822	10,715
PIKE	12,503	18,578	678	367
POTTER	1,667	7,055	138	70
SCHUYLKILL	24,048	43,511	1,491	770
SNYDER	5,261	13,119	321	161
SOMERSET	9,934	29,488	592	253
SULLIVAN	1,072	2,380	71	24
SUSQUEHANNA	6,479	14,389	395	213
TIOGA	4,741	15,345	465	203
UNION	7,619	11,715	344	216
VENANGO	8,631	16,862	502	242
WARREN	6,046	13,432	467	248
WASHINGTON	50,617	63,881	2,081	909

COMMONWEALTH OF PENNSYLVANIA
 2020 General Election
 November 3, 2020

DEPARTMENT OF STATE

OFFICIAL RETURNS

Attorney General

COUNTY	JOSH SHAPIRO DEMOCRATIC	HEATHER HEIDELBAUGH REPUBLICAN	DANIEL WASSMER LIBERTARIAN	RICHARD L WEISS GREEN
WAYNE	9,632	17,302	422	265
WESTMORELAND	83,550	115,208	3,363	1,436
WYOMING	5,080	9,159	258	163
YORK	86,122	142,637	5,118	2,046
PENNSYLVANIA	3,461,215	3,153,678	120,478	71,069

COMMONWEALTH OF PENNSYLVANIA
2020 General Election
November 3, 2020

OFFICIAL RETURNS

Auditor General

COUNTY	NINA AHMAD DEMOCRATIC	TIMOTHY DEFOOR REPUBLICAN	JENNIFER MOORE LIBERTARIAN	OLIVIA FAISON GREEN
ADAMS	15,859	37,076	2,010	609
ALLEGHENY	397,204	275,870	21,166	9,967
ARMSTRONG	8,231	26,089	1,213	277
BEAVER	36,281	52,045	3,562	1,096
BEDFORD	3,801	22,524	623	169
BERKS	83,972	107,553	7,017	2,705
BLAIR	15,256	44,847	2,072	625
BRADFORD	6,867	20,846	1,256	319
BUCKS	181,918	193,610	9,914	3,872
BUTLER	33,193	72,957	3,632	1,022
CAMBRIA	20,683	45,886	2,217	668
CAMERON	525	1,701	118	43
CARBON	10,575	20,785	1,175	318
CENTRE	34,946	37,846	2,471	1,015
CHESTER	158,220	141,525	8,128	3,510
CLARION	4,247	14,136	681	159
CLEARFIELD	8,753	28,243	1,513	319
CLINTON	5,127	11,491	583	157
COLUMBIA	9,707	19,163	1,198	392
CRAWFORD	11,587	27,670	1,405	490
CUMBERLAND	53,297	80,146	4,689	1,544
DAUPHIN	68,399	69,050	4,838	1,863
DELAWARE	183,869	126,216	8,597	3,245
ELK	4,248	11,611	614	163
ERIE	60,388	64,430	5,865	1,699
FAYETTE	20,423	37,715	1,615	449
FOREST	652	1,819	92	33
FRANKLIN	19,228	56,420	2,767	789
FULTON	938	6,605	179	49
GREENE	4,975	11,220	607	214
HUNTINGDON	4,687	16,740	725	210
INDIANA	11,843	26,918	1,378	384
JEFFERSON	3,970	17,584	800	161
JUNIATA	2,047	9,275	372	98
LACKAWANNA	58,857	47,376	3,466	1,532
LANCASTER	101,116	162,741	8,543	2,746
LAWRENCE	15,439	27,383	1,633	473
LEBANON	20,815	46,258	2,359	736
LEHIGH	88,859	83,303	6,080	2,267
LUZERNE	62,485	79,084	4,816	1,668
LYCOMING	15,618	40,537	1,966	546
MCKEAN	4,360	13,789	740	191
MERCER	19,090	35,045	1,933	617
MIFFLIN	4,036	16,122	677	181
MONROE	40,257	36,738	2,792	1,123
MONTGOMERY	284,952	195,435	14,857	6,252
MONTOUR	3,375	5,783	347	95
NORTHAMPTON	76,584	80,746	5,066	1,861
NORTHUMBERLAND	11,713	27,580	1,572	528
PERRY	5,073	18,089	845	245
PHILADELPHIA	555,316	122,995	13,309	9,978
PIKE	11,803	18,821	885	424
POTTER	1,441	7,092	263	74
SCHUYLKILL	19,894	45,733	2,852	792
SNYDER	4,226	13,637	662	168
SOMERSET	7,783	30,680	1,234	328

COMMONWEALTH OF PENNSYLVANIA
 2020 General Election
 November 3, 2020

OFFICIAL RETURNS

Auditor General

COUNTY	NINA AHMAD DEMOCRATIC	TIMOTHY DEFOOR REPUBLICAN	JENNIFER MOORE LIBERTARIAN	OLIVIA FAISON GREEN
SULLIVAN	867	2,467	135	32
SUSQUEHANNA	5,574	14,765	689	265
TIOGA	4,158	15,445	799	221
UNION	6,662	12,369	564	212
VENANGO	6,552	18,070	1,183	289
WARREN	5,309	13,652	833	290
WASHINGTON	42,029	69,587	3,705	1,112
WAYNE	8,228	17,929	887	335
WESTMORELAND	68,478	125,237	6,029	1,768
WYOMING	4,167	9,653	492	206
YORK	77,779	146,108	8,600	2,398
PENNSYLVANIA	3,128,811	3,337,861	205,905	78,586

COMMONWEALTH OF PENNSYLVANIA
2020 General Election
November 3, 2020

OFFICIAL RETURNS

State Treasurer

COUNTY	JOE TORSSELLA DEMOCRATIC	STACY L GARRITY REPUBLICAN	JOE SOLOSKI LIBERTARIAN	TIMOTHY RUNKLE GREEN
ADAMS	16,418	37,087	1,385	795
ALLEGHENY	404,138	270,964	17,176	10,711
ARMSTRONG	8,756	25,875	1,009	262
BEAVER	38,214	51,292	2,421	1,106
BEDFORD	4,351	22,272	383	167
BERKS	88,616	105,570	4,958	2,871
BLAIR	16,606	44,464	1,279	636
BRADFORD	6,465	22,175	661	265
BUCKS	191,524	187,137	7,661	3,752
BUTLER	34,148	73,020	2,830	1,056
CAMBRIA	23,946	43,698	1,322	575
CAMERON	611	1,713	61	17
CARBON	11,037	20,798	721	329
CENTRE	36,866	36,303	1,978	1,136
CHESTER	163,147	138,083	6,129	3,394
CLARION	4,570	13,992	482	146
CLEARFIELD	10,086	27,576	870	358
CLINTON	5,493	11,379	371	175
COLUMBIA	11,409	18,126	796	416
CRAWFORD	12,267	27,299	1,100	483
CUMBERLAND	55,652	78,424	3,637	1,871
DAUPHIN	72,586	65,729	3,553	2,313
DELAWARE	189,646	124,401	5,197	2,896
ELK	4,730	11,391	405	148
ERIE	64,440	62,029	4,870	1,601
FAYETTE	21,537	37,111	1,091	470
FOREST	699	1,812	62	31
FRANKLIN	20,123	56,387	1,861	862
FULTON	1,044	6,563	123	41
GREENE	5,415	11,101	382	188
HUNTINGDON	5,169	16,603	462	198
INDIANA	12,850	26,431	981	394
JEFFERSON	4,555	17,587	507	190
JUNIATA	2,236	9,235	208	106
LACKAWANNA	61,104	46,677	2,497	1,414
LANCASTER	101,861	163,477	6,229	3,292
LAWRENCE	16,634	26,984	988	446
LEBANON	21,668	45,942	1,617	998
LEHIGH	91,616	82,222	4,473	2,157
LUZERNE	65,889	77,304	3,261	1,568
LYCOMING	15,951	40,665	1,284	541
MCKEAN	4,543	13,921	433	203
MERCER	19,940	34,913	1,245	700
MIFFLIN	4,371	16,065	446	225
MONROE	41,036	36,803	1,888	1,167
MONTGOMERY	297,179	189,613	10,354	5,856
MONTOUR	3,561	5,717	248	109
NORTHAMPTON	78,982	79,783	3,944	1,942
NORTHUMBERLAND	12,282	27,664	1,083	522
PERRY	5,444	17,928	626	302
PHILADELPHIA	561,438	122,763	10,390	10,602
PIKE	11,965	18,973	650	430
POTTER	1,498	7,165	161	62
SCHUYLKILL	20,685	46,088	1,757	963
SNYDER	4,416	13,737	385	245
SOMERSET	9,046	30,050	733	296

COMMONWEALTH OF PENNSYLVANIA
 2020 General Election
 November 3, 2020

OFFICIAL RETURNS

State Treasurer

COUNTY	JOE TORSELLA DEMOCRATIC	STACY L GARRITY REPUBLICAN	JOE SOLOSKI LIBERTARIAN	TIMOTHY RUNKLE GREEN
SULLIVAN	883	2,522	80	33
SUSQUEHANNA	5,704	14,957	484	254
TIOGA	4,255	15,661	574	202
UNION	6,769	12,451	393	270
VENANGO	7,033	18,001	693	336
WARREN	5,684	13,606	675	218
WASHINGTON	44,477	68,257	2,827	1,101
WAYNE	8,363	18,233	547	317
WESTMORELAND	71,908	123,694	8,672	3,618
WYOMING	4,270	9,751	324	172
YORK	79,288	146,529	5,999	3,267
PENNSYLVANIA	3,239,093	3,291,743	152,892	83,787

PENNSYLVANIA
DEPARTMENT OF STATE

BUREAU OF COMMISSIONS, ELECTIONS AND LEGISLATION

Votes Cast Report

PAGE NO : 1

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
REPRESENTATIVE IN THE GENERAL ASSEMBLY							
-----1st Legislative District							
-----Democratic							
2020C1138	HARKINS, PATRICK J	2665 SCHLEY ST	ERIE	6,741	Winner	17,919	
Scattered				35		0	

Scattered				0		495	
-----Republican							
Scattered				145		0	
-----2nd Legislative District							
-----Democratic							
2020C0489	MERSKI, ROBERT E	625 JAMES ST	ERIE	8,537	Winner	22,342	
Scattered				82		0	

Scattered				0		839	
-----Republican							
Scattered				298		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----3rd Legislative District							
-----Democratic							
2020C0154	BIZZARRO, RYAN A	5805 FOREST CROSSING	ERIE	9,406	Winner	22,219	
Scattered				39		0	
-----Republican							
2020C1467	HAYES, GREG S	5755 GIBSON HILL RD	ERIE	1,375	Winner	13,985	
Scattered				150		0	

Scattered				0		57	
-----4th Legislative District							
-----Republican							
2020C0773	SONNEY, CURTIS G.	7783 E LAKE ROAD	ERIE	6,207	Winner	26,762	
Scattered				42		0	

Scattered				0		569	
-----Democratic							
Scattered				221		0	
-----5th Legislative District							
-----Democratic							
2020C0810	GONZALES, GRAHAM S.	219 ADAMS DRIVE	BERKS	4,776	Winner	10,112	

Votes Cast Report

PAGE NO : 3

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				27		0	
-----Republican							
2020C0165	JOZWIAK, BARRY J	590 GRANGE ROAD	BERKS	7,200	Winner	23,291	
Scattered				40		0	

Scattered				0		28	
----6th Legislative District							
-----Democratic							
2020C0173	FERRENCE, MATTHEW	232 MEADOW STREET	CRAWFORD	5,276	Winner	11,286	
Scattered				69		0	
-----Republican							
2020C0054	ROAE, BRADLEY T	24520 PLANK ROAD	CRAWFORD	6,853	Winner	21,285	
Scattered				100		0	

Scattered				0		82	
----7th Legislative District							
-----Democratic / Republican							
2020C0047	LONGIETTI, MARK	3660 CLEARVIEW DR	MERCER	6,412	Winner	28,297	

Scattered				0		625	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Democratic							
	Scattered			37		0	
-----Republican							
	Scattered			237		0	
----8th Legislative District							
-----Democratic							
2020C0878	HEASLEY, PHILLIP C	1231 N MAIN STREET EXT	BUTLER	3,596	Winner	7,883	
	Scattered			65		0	
-----Republican							
2020C0481	BONNER, TIMOTHY R.	122 OLD HICKORY LANE	MERCER	7,703	Winner	23,838	
	Scattered			44		0	

	Scattered			0		57	
----9th Legislative District							
-----Democratic							
2020C0049	SAINATO, CHRISTOPHER	607 BARKER AVE	LAWRENCE	5,659	Winner	15,180	
	Scattered			126		0	
-----Republican							
2020C1092	RYAN, CAROL LYNNE	1504 HIGHLAND AVENUE	LAWRENCE	4,677	Winner	12,030	
	Scattered			89		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Independent							
2020C1437	AUDIA, DARRYL J	635 CAMEON RD	LAWRENCE			2,940	

	Scattered			0		34	
----10th Legislative District							
-----Democratic							
2020C0665	COLE, KOLBE	809 LINCOLN PLACE	BEAVER	5,163	Winner	10,032	
	Scattered			134		0	
-----Republican							
2020C0686	BERNSTINE, AARON JOSEPH	254 STATE ROUTE 168	LAWRENCE	5,454	Winner	15,009	
	Scattered			82		0	
-----United Party							
2020C1434	PEFFER, JOHNATHAN D	1685 ROUTE 65	BEAVER			4,100	

	Scattered			0		50	
----11th Legislative District							
-----Democratic							
2020C1117	DOCTOR, SAMUEL JOSEPH	1111 CENTER AVENUE	BUTLER	4,787	Winner	9,043	
	Scattered			130		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0522	MUSTELLO, MARCI	202 BELLEFIELD DR	BUTLER	5,104	Winner	22,956	
	Scattered			14		0	

	Scattered			0		88	
----12th Legislative District							
-----Democratic							
2020C0669	SMITH, DANIEL B JR	246 BROADSTONE DRIVE	BUTLER	5,982	Winner	16,724	
	Scattered			50		0	
-----Republican							
2020C0050	METCALFE, DARYL D	133 PARKWOOD DR	BUTLER	6,678	Winner	26,909	
	Scattered			43		0	

	Scattered			0		546	
----13th Legislative District							
-----Democratic							
2020C0676	RUGGIERI, RICHARD RAYMOND III	2 GLEN IRIS CT	CHESTER	5,493	Winner	14,097	
	Scattered			41		0	
-----Republican							
2020C0722	LAWRENCE, JOHN ADDA	12 BRAMBLE LANE	CHESTER	6,093	Winner	20,247	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				54		0	

Scattered				0		30	
----14th Legislative District							
-----Democratic							
2020C0667	WILSON, ZACHARY JAMES	242 POPLAR ST	BEAVER	6,289	Winner	10,578	
Scattered				151		0	
-----Republican							
2020C0419	MARSHALL, JAMES E.	1220 SHENANGO ROAD	BEAVER	7,267	Winner	24,961	
Scattered				40		0	

Scattered				0		71	
----15th Legislative District							
-----Democratic							
2020C0668	WILLIAMS, ROBERT T SR	71 WALNUT STREET	BEAVER	6,128	Winner	10,102	
Scattered				134		0	
-----Republican							
2020C0420	KAIL, JOSHUA DANIEL	280 BUFFALO STREET	BEAVER	6,448	Winner	24,558	
Scattered				24		0	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		51	
----	16th Legislative District						
-----	Democratic						
2020C0690	MATZIE, ROBERT F	1028 HIGHLAND AVE	BEAVER	8,909	Winner	19,101	
Scattered				130		0	
-----	Republican						
2020C1105	ELMORE, RICO T.	302 RENO ST	BEAVER	4,076	Winner	14,891	
Scattered				74		0	

Scattered				0		54	
----	17th Legislative District						
-----	Republican						
2020C0224	WENTLING, PARKE H.	304 MERCER ROAD	MERCER	6,718	Winner	26,574	
Scattered				36		0	

Scattered				0		564	
-----	Democratic						
Scattered				232		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----18th Legislative District							
-----Democratic							
2020C0830	HAYES, HAROLD M	2148 ANDREA DR	BUCKS	6,055	Winner	15,216	
Scattered				100		0	
-----Republican							
2020C0790	TOMLINSON, KATHLEEN C	1520 WOODBINE AVENUE	BUCKS	5,296	Winner	16,706	
Scattered				31		0	

Scattered				0		53	
----19th Legislative District							
-----Democratic							
2020C0093	WHEATLEY, JAKE	917 ANAHEIM ST	ALLEGHENY	6,484	Winner	22,700	
Scattered				29		0	

Scattered				0		621	
-----Republican							
Scattered				119		0	
----20th Legislative District							
-----Democratic							
2020C0865	KINKEAD, EMILY DEBORAH	1424 BECKHAM STREET	ALLEGHENY	7,570	Winner	27,680	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				22		0	

Scattered				0		1,594	
-----	Republican						
Scattered				469		0	
----	21st Legislative District						
-----	Democratic						
2020C0769	INNAMORATO, SARA	5166 NATRONA WAY	ALLEGHENY	12,308	Winner	24,057	
Scattered				215		0	
-----	Republican						
2020C0715	WAUGH, JOHN FRANKLIN	164 LINDEN CT	ALLEGHENY	2,933	Winner	12,183	
Scattered				65		0	

Scattered				0		79	
----	22nd Legislative District						
-----	Democratic						
2020C0435	SCHWEYER, PETER	1529 CATALINA AVE	LEHIGH	2,197	Winner	13,969	
Scattered				5		0	

Scattered				0		457	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
	Scattered			111		0	
----23rd Legislative District							
-----Democratic							
2020C1042	FRANKEL, DAN B	5329 FAIR OAKS ST	ALLEGHENY	12,450	Winner	24,685	
	Scattered			126		0	
-----Green							
2020C1454	WALKER, JAY TING	5806 HOWE ST	ALLEGHENY			4,212	

	Scattered			0		314	
-----Republican							
	Scattered			182		0	
----24th Legislative District							
-----Democratic							
2020C0198	GAINEY, EDWARD C	6451 APPLE STREET	ALLEGHENY	14,741	Winner	29,919	
	Scattered			115		0	

	Scattered			0		353	
-----Republican							
	Scattered			87		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----25th Legislative District							
-----Democratic							
2020C0403	MARKOSEK, BRANDON	207 GLENWOOD DR	ALLEGHENY	9,244	Winner	19,461	
Scattered				147		0	
-----Republican							
2020C0772	RITTER, JOHN D	206 SHACKELFORD DR	ALLEGHENY	4,022	Winner	13,908	
Scattered				40		0	

Scattered				0		64	
----26th Legislative District							
-----Democratic							
2020C0569	FRIEL, PAUL F JR	307 VALLEY HUNT DR	CHESTER	4,655	Winner	17,180	
Scattered				42		0	
-----Republican							
2020C0352	HENNESSEY, TIMOTHY F.	1178 FOXVIEW RD	CHESTER	6,615	Winner	19,769	
Scattered				99		0	

Scattered				0		57	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----27th Legislative District							
-----Democratic							
2020C0059	DEASY, DANIEL	2093 NOBLESTOWN RD	ALLEGHENY	10,580	Winner	26,109	
	Scattered			121		0	

	Scattered			0		1,064	
-----Republican							
	Scattered			372		0	
----28th Legislative District							
-----Democratic							
2020C1111	SKOPOV, EMILY	105 ARCHBERRY DR.	ALLEGHENY	9,072	Winner	20,500	
	Scattered			104		0	
-----Republican							
2020C0168	MERCURI, ROBERT W	419 PINKERTON RD	ALLEGHENY	5,723	Winner	23,806	
	Scattered			47		0	

	Scattered			0		40	
----29th Legislative District							
-----Democratic							
2020C0195	KATZ, MARLENE	5629 KING FISHER LN	BUCKS	8,179	Winner	18,475	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				30		0	
-----Republican							
2020C0161	SCHROEDER, MEGHAN	3929 UPPER MOUNTAIN ROAD	BUCKS	5,596	Winner	23,237	
Scattered				10		0	
-----Abolitionist Society Pennsylvania							
2020C1448	SCHMOLZE, NATHANAEL	786 WEST BRISTOL RD	BUCKS			352	

Scattered				0		33	
----30th Legislative District							
-----Democratic							
2020C0485	SHULMAN, MELISSA GEIGER	4370 KILBERT DR	ALLEGHENY	5,964	Winner	19,231	
Scattered				64		0	
-----Republican							
2020C0547	MIZGORSKI, LORI A	7606 WIBLE WOOD COURT	ALLEGHENY	6,502	Winner	23,340	
Scattered				69		0	

Scattered				0		44	
----31st Legislative District							
-----Democratic							
2020C0089	WARREN, PERRY	149 ANDREW DR	BUCKS	10,588	Winner	26,272	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				24		0	
-----Republican							
2020C1364	ADCOCK, CHARLES S.	602 PENN STREET	BUCKS	5,831	Winner	17,741	
Scattered				43		0	

Scattered				0		44	
----32nd Legislative District							
-----Democratic							
2020C0132	DELUCA, ANTHONY	1438 HOMESTEAD RD	ALLEGHENY	8,099	Winner	30,332	
Scattered				53		0	

Scattered				0		1,214	
-----Republican							
Scattered				581		0	
----33rd Legislative District							
-----Democratic							
2020C0561	DERMODY, FRANCIS J.	600 WOODLAND AVENUE	ALLEGHENY	8,132	Winner	15,494	
Scattered				104		0	
-----Republican							
2020C0166	DELROSSO, CARRIE L.	662 7TH STREET	ALLEGHENY	4,000	Winner	16,383	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				56		0	

Scattered				0		51	

-----	34th Legislative District						
-----	Democratic						
2020C0914	LEE, SUMMER	2233 WOODSTOCK AVE	ALLEGHENY	11,863	Winner	27,129	
Scattered				30		0	

Scattered				0		1,258	

-----	Republican						
Scattered				412		0	

-----	35th Legislative District						
-----	Democratic						
2020C0155	DAVIS, AUSTIN A	1107 WASHINGTON ST	ALLEGHENY	8,778	Winner	21,335	
Scattered				73		0	

Scattered				0		1,725	

-----	Republican						
Scattered				481		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----36th Legislative District							
-----Democratic							
2020C1362	BENHAM, JESSICA LYNN	2805 COBDEN ST	ALLEGHENY	4,532	Winner	20,076	
Scattered				36		0	
-----Republican							
2020C0660	DOYLE, ADRIAN MATTHEW	235 MARYLEA AVENUE	ALLEGHENY	2,183	Winner	11,988	
Scattered				83		0	

Scattered				0		58	
----37th Legislative District							
-----Democratic							
2020C0638	PADORA, JOHN J JR.	920 MAPLE ST	LANCASTER	3,841	Winner	9,579	
Scattered				16		0	
-----Republican							
2020C0304	FEE, MELINDA S	174 N LINDEN STREET	LANCASTER	8,782	Winner	25,783	
Scattered				43		0	

Scattered				0		58	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----38th Legislative District							
-----Democratic							
2020C0090	PISCIOTTANO, NICKOLAS R	4691 BOWES AVENUE	ALLEGHENY	10,082	Winner	20,362	
Scattered				227		0	
-----Republican							
2020C1465	BOOK, LINDA J	4728 BROWNSVILLE ROAD	ALLEGHENY	414	Winner	15,941	
Scattered				900		0	

Scattered				0		75	
----39th Legislative District							
-----Democratic							
2020C1352	OLIPHANT, SARA-SUMMER	3572 FALMOUTH DR	ALLEGHENY	7,522	Winner	13,669	
Scattered				106		0	
-----Republican							
2020C0706	PUSKARIC, MICHAEL JAMES	15 CINQUE TERRA PLACE	WASHINGTON	3,552	Winner	23,093	
Scattered				28		0	

Scattered				0		47	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----40th Legislative District							
-----Democratic							
2020C0845	GUIDI, SHARON	221 OLD OAK RD	WASHINGTON	8,642	Winner	16,990	
Scattered				58		0	
-----Republican							
2020C0517	MIHALEK STUCK, NATALIE NICOLE	251 FRANKLIN DRIVE	ALLEGHENY	7,974	Winner	26,485	
Scattered				53		0	

Scattered				0		21	
----41st Legislative District							
-----Democratic							
2020C0655	WHERLEY, MICHELE	1424 HILLCREST RD	LANCASTER	7,177	Winner	16,912	
Scattered				20		0	
-----Republican							
2020C0338	MILLER, BRETT R	959 WOODRIDGE BLVD.	LANCASTER	6,973	Winner	23,230	
Scattered				32		0	

Scattered				0		63	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----42nd Legislative District							
-----Democratic							
2020C0713	MILLER, DANIEL	467 LONGRIDGE DR	ALLEGHENY	12,604	Winner	25,580	
Scattered				65		0	
-----Republican							
2020C1473	KORINKO, KURT P JR	1435 TOLMA AVE APT 2F	ALLEGHENY	313	Winner	11,778	
Scattered				556		0	

Scattered				0		65	
-----43rd Legislative District							
-----Republican							
2020C0369	GREINER, KEITH JAMES	405 MYER TERRACE	LANCASTER	7,201	Winner	27,324	
Scattered				27		0	

Scattered				0		1,050	
-----Democratic							
Scattered				273		0	
-----44th Legislative District							
-----Democratic							
2020C0726	KNOLL, MICHELE	157 TOMS RUN ROAD	ALLEGHENY	8,573	Winner	18,143	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				98		0	
-----Republican							
2020C0548	GAYDOS, VALERIE	411 TRAILSIDE DRIVE	ALLEGHENY	4,867	Winner	22,140	
Scattered				20		0	

Scattered				0		54	
----45th Legislative District							
-----Democratic							
2020C0276	KULIK, ANITA A	121 LORISH RD	ALLEGHENY	10,836	Winner	22,853	
Scattered				166		0	
-----Republican							
2020C0989	DEVITO, DANIEL BRIAN	834 WASHINGTON AVE. APT. 207	ALLEGHENY	2,623	Winner	14,180	
Scattered				73		0	

Scattered				0		67	
----46th Legislative District							
-----Democratic							
2020C0758	TIMMINS, BYRON F	1019 MAYFAIR DRIVE	ALLEGHENY	7,801	Winner	15,224	
Scattered				119		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0603	ORTITAY, JASON A	220 MAPLE RIDGE DRIVE	WASHINGTON	6,136	Winner	25,271	
	Scattered			46		0	

	Scattered			0		33	
----47th Legislative District							
-----Democratic							
2020C1478	OWENS, DONALD ALFRED	6218 DARK HOLLOW RD	YORK	524	Winner	11,687	
	Scattered			77		0	
-----Republican							
2020C0445	GILLESPIE, KEITH J.	5225 PICKING ROAD	YORK	6,997	Winner	22,066	
	Scattered			72		0	

	Scattered			0		62	
----48th Legislative District							
-----Democratic							
2020C0410	SHOBER, HARLAN G. JR.	140 SHOBER LANE	WASHINGTON	7,498	Winner	14,646	
	Scattered			101		0	
-----Republican							
2020C0064	O'NEAL, TIMOTHY JON	1345 MAPLEWOOD CIRCLE	WASHINGTON	5,814	Winner	20,571	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				30		0	

Scattered				0		18	
----49th Legislative District							
-----Democratic							
2020C0679	BARLI, RANDY J	157/151 SPRING STREET, POBOX 191	WASHINGTON	6,171	Winner	10,278	
Scattered				345		0	
-----Republican							
2020C0117	COOK, DONALD	888 SCENIC DRIVE	WASHINGTON	3,353	Winner	17,926	
Scattered				12		0	

Scattered				0		115	
----50th Legislative District							
-----Democratic							
2020C0125	SNYDER, PAM	286 CENTER SCHOOL ROAD	GREENE	6,177	Winner	14,587	
Scattered				107		0	
-----Republican							
2020C0616	YOST, LARRY W II	319 MEADOW RUN ROAD	GREENE	4,343	Winner	12,796	
Scattered				234		0	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		26	
----51st Legislative District							
-----Democratic							
2020C1476	JONES, KEVIN D	5 FARMVIEW ST	FAYETTE	828	Winner	8,953	
Scattered				236		0	
-----Republican							
2020C0543	DOWLING, MATTHEW DAVID	55 CHARLES STREET	FAYETTE	4,863	Winner	19,592	
Scattered				56		0	

Scattered				0		51	
----52nd Legislative District							
-----Democratic							
2020C0584	COCHRAN, HARRY YOUNG	29B LAWN AVENUE	FAYETTE	5,217	Winner	8,923	
Scattered				112		0	
-----Republican							
2020C0251	WARNER, RYAN JAMES	115 LIBERTY STREET	FAYETTE	5,305	Winner	21,219	
Scattered				21		0	

Scattered				0		31	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----53rd Legislative District							
-----Democratic							
2020C0409	MALAGARI, STEVEN R	606 SPRUCE ST	MONTGOMERY	7,432	Winner	19,974	
Scattered				39		0	
-----Republican							
2020C0625	ARNOTT, ALLAN MILES	12 GRANDVIEW DRIVE	MONTGOMERY	6,177	Winner	16,543	
Scattered				46		0	

Scattered				0		43	
-----54th Legislative District							
-----Republican							
2020C0231	BROOKS, ROBERT J.	3465 TREELINE DRIVE	WESTMORELAND	7,055	Winner	30,446	
Scattered				43		0	

Scattered				0		1,492	
-----Democratic							
Scattered				713		0	
-----55th Legislative District							
-----Democratic							
2020C0612	PETRARCA, JOSEPH A	303 YOUNG DR	WESTMORELAND	6,170	Winner	14,914	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				45		0	
-----	Republican						
2020C0103	SILVIS, JASON ROY	739 ROUTE 380	WESTMORELAND	5,880	Winner	16,336	
Scattered				67		0	

Scattered				0		39	
----	56th Legislative District						
-----	Republican						
2020C0216	DUNBAR, GEORGE	114 ADELLA COURT	WESTMORELAND	7,502	Winner	32,942	
Scattered				43		0	

Scattered				0		1,332	
-----	Democratic						
Scattered				448		0	
----	57th Legislative District						
-----	Republican						
2020C0357	NELSON, ERIC R	165 WOLFE NURSERY ROAD	WESTMORELAND	7,121	Winner	28,797	
Scattered				32		0	

Scattered				0		1,306	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Democratic							
	Scattered			548		0	
----58th Legislative District							
-----Democratic							
2020C1025	PRAH, ROBERT L JR	145 MORNINGSTAR DR	WESTMORELAND	6,595	Winner	11,982	
	Scattered			161		0	
-----Republican							
2020C0441	DAVANZO, ERIC M.	371 STATE HILL ROAD	WESTMORELAND	5,580	Winner	20,591	
	Scattered			56		0	

	Scattered			0		40	
----59th Legislative District							
-----Republican							
2020C0212	REESE, MICHAEL P.	1222 VILLAGE ROAD	WESTMORELAND	8,540	Winner	32,189	
	Scattered			26		0	

	Scattered			0		860	
-----Democratic							
	Scattered			512		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----60th Legislative District							
-----Republican							
2020C0112	PLYE, JEFFREY P.	1226 4TH AVENUE	ARMSTRONG	8,339	Winner	29,898	
Scattered				54		0	

Scattered				0		799	
-----Democratic							
Scattered				218		0	
-----61st Legislative District							
-----Democratic							
2020C0483	HANBIDGE, LAURA ELIZABETH	515 MORRIS RD	MONTGOMERY	10,775	Winner	25,065	
Scattered	FRANCES			33		0	
-----Republican							
2020C1303	FRIEBEL, FLORENCE L.	452 PRIMROSE DRIVE	MONTGOMERY	6,072	Winner	16,832	
Scattered				75		0	

Scattered				0		66	
-----62nd Legislative District							
-----Democratic							
2020C1200	SEMSICK, DENNIS R	12914 ROUTE 422 EAST	INDIANA	5,011	Winner	9,211	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				102		0	
-----Republican							
2020C0884	STRUZZI, JAMES BRUNO II	104 APACHE DRIVE	INDIANA	6,253	Winner	19,943	
Scattered				40		0	

Scattered				0		26	
----63rd Legislative District							
-----Republican							
2020C0291	OBERLANDER, DONNA R.	44 W MAIN STREET	CLARION	9,343	Winner	26,480	
Scattered				35		0	

Scattered				0		129	
-----Democratic							
Scattered				203		0	
----64th Legislative District							
-----Republican							
2020C0994	JAMES, R. LEE	114 W 2ND STREET	VENANGO	6,964	Winner	23,004	
Scattered				61		0	
-----Green							
2020C1453	BAGDES-CANNING, MICHAEL	264 EAST UNITY RD	BUTLER			5,587	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		111	
-----	Democratic						
Scattered				174		0	
-----	65th Legislative District						
-----	Republican						
2020C0421	RAPP, KATHY L.	3780 FOLLETT RUN ROAD	WARREN	6,944	Winner	25,352	
Scattered				5		0	

Scattered				0		180	
-----	Democratic						
Scattered				127		0	
-----	66th Legislative District						
-----	Republican						
2020C0764	SMITH, BRIAN A	501 WOODLAND AVE	JEFFERSON	6,805	Winner	28,093	
Scattered				30		0	

Scattered				0		625	
-----	Democratic						
Scattered				584		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----67th Legislative District							
-----Republican							
2020C0324	CAUSER, MARTIN T.	146 LONG HOLLOW	McKEAN	9,486	Winner	27,302	
Scattered				48		0	

Scattered				0		738	
-----Democratic							
Scattered				228		0	
-----68th Legislative District							
-----Republican							
2020C0094	OWLETT, CLINTON D.	769 PLANK ROAD	TIOGA	9,974	Winner	26,055	
Scattered				47		0	
-----Libertarian							
2020C1443	LAWTON, NOYES J	56 CENTRAL AVE	TIOGA			3,183	

Scattered				0		279	
-----Democratic							
Scattered				153		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----69th Legislative District							
-----Republican							
2020C0157	METZGAR, CARL WALKER	394 BEACHLEY HILL RD	SOMERSET	10,314	Winner	31,077	
Scattered				48		0	

Scattered				0		648	
-----Democratic							
Scattered				249		0	
----70th Legislative District							
-----Democratic							
2020C0589	BRADFORD, MATTHEW D	1406 REINER RD	MONTGOMERY	8,722	Winner	21,596	
Scattered				65		0	
-----Republican							
2020C1484	WISSERT, DANIEL J	915 W AIRY ST	MONTGOMERY		Winner	9,653	
Scattered				46		0	

Scattered				0		39	
----71st Legislative District							
-----Republican							
2020C0193	RIGBY, JAMES PATRICK	912 AUSTIN STREET	CAMBRIA	6,253	Winner	26,689	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				36		0	

Scattered				0		1,170	
-----	Democratic						
Scattered				696		0	
----	72nd Legislative District						
-----	Democratic						
2020C0229	BURNS, FRANK	1654 WILLIAM PENN AVE #1	CAMBRIA	6,485	Winner	16,886	
Scattered				136		0	
-----	Republican						
2020C0279	TERNDRUP, HOWARD D.	303 PLANK ROAD	CAMBRIA	4,328	Winner	15,150	
Scattered				224		0	

Scattered				0		70	
----	73rd Legislative District						
-----	Republican						
2020C0156	SANKEY, THOMAS R III	601 SILVERWOOD DRIVE	CLEARFIELD	7,042	Winner	26,933	
Scattered				45		0	

Scattered				0		786	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Democratic							
	Scattered			286		0	
----74th Legislative District							
-----Democratic							
2020C0779	WILLIAMS, DAN K	21 WICK DR	CHESTER	8,246	Winner	21,730	
	Scattered			64		0	
-----Republican							
2020C0389	HENSEL, DALE L.	157 COWAN RD.	CHESTER	3,505	Winner	12,025	
	Scattered			74		0	

	Scattered			0		53	
----75th Legislative District							
-----Democratic							
2020C0818	GRIMM, RYAN S	401 WEST THERESIA RD	ELK	4,815	Winner	7,973	
	Scattered			60		0	
-----Republican							
2020C0407	ARMANINI, MICHAEL J.	123 BAY BERRY DRIVE	CLEARFIELD	4,584	Winner	25,558	
	Scattered			33		0	

	Scattered			0		45	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----76th Legislative District							
-----Democratic							
2020C0137	WALTZ, JOSEPH	114 LIN RIDGE DRIVE	CLINTON	4,529	Winner	10,105	
Scattered				71		0	
-----Republican							
2020C0104	BOROWICZ, STEPHANIE PAIGE	187 COCHISE TRAIL	CLINTON	7,317	Winner	19,175	
Scattered				186		0	

Scattered				0		24	
----77th Legislative District							
-----Democratic							
2020C0294	CONKLIN, HARRY SCOTT	339 KEPP RD	CENTRE	5,235	Winner	14,290	
Scattered				53		0	
-----Republican							
2020C1306	YETSKO, STEPHEN T	295 MILES HOLLOW ROAD	CENTRE	2,076	Winner	7,424	
Scattered				16		0	

Scattered				0		28	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----78th Legislative District							
-----Republican							
2020C0162	TOPPER, JESSE W	242 E. SIMPSON ST	BEDFORD	10,351	Winner	31,550	
Scattered				44		0	

Scattered				0		585	
-----Democratic							
Scattered				209		0	
----79th Legislative District							
-----Democratic							
2020C0516	RUNK, JASON	312 NORTH 7TH AVE	BLAIR	3,947	Winner	8,536	
Scattered				54		0	
-----Republican							
2020C0299	SCHMITT, LOUIS C. JR.	182 HONEY SUCKLE LANE	BLAIR	6,638	Winner	20,103	
Scattered				33		0	

Scattered				0		54	
----80th Legislative District							
-----Republican							
2020C0124	GREGORY, JAMES V	911 POPLAR AVE	BLAIR	10,422	Winner	30,950	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				57		0	

Scattered				0		931	
-----	Democratic						
Scattered				340		0	
----	81st Legislative District						
-----	Democratic						
2020C1396	KIDD, IAN MICHAEL	8030 SUNNY MEADE ROAD	HUNTINGDON	4,764	Winner	10,618	
Scattered				88		0	
-----	Republican						
2020C0326	IRVIN, RICHARD S	3661 JOHNSON HILL ROAD	HUNTINGDON	8,461	Winner	23,361	
Scattered				183		0	

Scattered				0		56	
----	82nd Legislative District						
-----	Republican						
2020C1166	HERSHEY, JOHNATHAN D	20017 ROUTE 35 S	JUNIATA	8,793	Winner	26,822	
Scattered				39		0	

Scattered				0		645	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Democratic							
	Scattered			261		0	
----83rd Legislative District							
-----Democratic							
2020C0874	PAGE, AIRNEEZER J	725 SOUTHMONT AVE.	LYCOMING	3,833	Winner	9,253	
	Scattered			69		0	
-----Republican							
2020C0139	WHEELAND, JEFF C	1985 WALTERS RD.	LYCOMING	6,582	Winner	19,065	
	Scattered			65		0	

	Scattered			0		56	
----84th Legislative District							
-----Democratic							
2020C1169	WALDMAN, AMANDA R	1690 BIDDLE RD	LYCOMING	3,069	Winner	6,975	
	Scattered			60		0	
-----Republican							
2020C0140	HAMM, JOSEPH D	3662 PLEASANT VALLEY ROAD	LYCOMING	7,017	Winner	25,961	
	Scattered			25		0	

	Scattered			0		39	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----85th Legislative District							
-----Democratic							
2020C1466	EVANS, KATHLEEN M	331 BULL RUN CROSSING	UNION	1,017	Winner	9,719	
Scattered				523		0	
-----Republican							
2020C0310	ROWE, DAVID HUMMER	270 HAWTHORNE DRIVE	UNION	8,120	Winner	20,783	
Scattered				104		0	

Scattered				0		28	
----86th Legislative District							
-----Republican							
2020C0141	STAMBAUGH, PERRY A	250 GREEN PARK ROAD	PERRY	6,241	Winner	27,355	
Scattered				163		0	

Scattered				0		379	
-----Democratic							
Scattered				163		0	
----87th Legislative District							
-----Democratic							
2020C0453	MILLER, NICOLE C	4790 CENTER POINTE DRIVE APT. 205	CUMBERLAND	4,453	Winner	19,104	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				0		0	
-----Republican							
2020C0091	ROTHMAN, WILLIAM GREGORY	1 GUNPOWDER RD	CUMBERLAND	9,193	Winner	24,239	
Scattered				0		0	

Scattered				0		48	
----88th Legislative District							
-----Democratic							
2020C0440	SHAKESPEARE, TARA	1813 LETCHWORTH DR	CUMBERLAND	7,056	Winner	15,396	
Scattered				0		0	
-----Republican							
2020C0220	DELOZIER, SHERYL M	1331 SCONSETT WAY	CUMBERLAND	8,105	Winner	21,344	
Scattered				0		0	

Scattered				0		62	
----89th Legislative District							
-----Republican							
2020C0150	KAUFFMAN, ROBERT W.	1764 BARNEGAT LIGHT DRIVE	FRANKLIN	9,662	Winner	28,302	
Scattered				112		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		1,610	
-----	Democratic						
Scattered				572		0	
-----	90th Legislative District						
-----	Republican						
2020C0277	SCHEMEL, PAUL T	152 SOUTH WASHINGTON STREET	FRANKLIN	9,521	Winner	30,095	
Scattered				84		0	

Scattered				0		1,072	
-----	Democratic						
Scattered				383		0	
-----	91st Legislative District						
-----	Republican						
2020C0381	MOUL, DANIEL P.	45 SANDY CT.	ADAMS	7,548	Winner	28,932	
Scattered				104		0	

Scattered				0		1,833	
-----	Democratic						
Scattered				436		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----92nd Legislative District							
-----Democratic							
2020C0474	ROSS, DOUGLAS F	684 DEER CT.	YORK	4,788	Winner	10,533	
Scattered				48		0	
-----Republican							
2020C0330	KEEFER, DAWN	430 FRANKLIN CHURCH ROAD	YORK	10,020	Winner	27,049	
Scattered				89		0	

Scattered				0		34	
-----93rd Legislative District							
-----Republican							
2020C0560	JONES, PAUL MICHAEL	775 WIND RUSH DRIVE	YORK	7,746	Winner	27,827	
Scattered				95		0	

Scattered				0		2,502	
-----Democratic							
Scattered				0		0	
-----94th Legislative District							
-----Republican							
2020C0436	SAYLOR, STANLEY E.	575 PLEASANT GROVE ROAD	YORK	7,460	Winner	26,266	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				64		0	

Scattered				0		1,748	
-----	Democratic						
Scattered				0		0	
----	95th Legislative District						
-----	Democratic						
2020C0812	HILL-EVANS, CAROL	227 IRVING RD	YORK	5,192	Winner	14,124	
Scattered				32		0	
-----	Republican						
2020C0613	FRENCH, KATHRYN CORRELL	41 WEST PHILADELPHIA STREET	YORK	2,331	Winner	7,950	
Scattered				33		0	

Scattered				0		50	
----	96th Legislative District						
-----	Democratic						
2020C0649	STURLA, P MICHAEL	283 PARK AVE #3	LANCASTER	6,332	Winner	20,880	
Scattered				69		0	

Scattered				0		670	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
	Scattered			115		0	
----97th Legislative District							
-----Democratic							
2020C0658	GULICK, DANA	979 HELEN AVENUE	LANCASTER	7,844	Winner	18,466	
	Scattered			25		0	
-----Republican							
2020C0176	MENTZER, STEVEN CURTIS	1680 NEW HOLLAND PIKE	LANCASTER	8,633	Winner	24,352	
	Scattered			87		0	

	Scattered			0		35	
----98th Legislative District							
-----Democratic							
2020C0663	TROUTMAN, WILLIAM NELSON JR	142 EAST PARK STREET	LANCASTER	4,555	Winner	11,235	
	Scattered			26		0	
-----Republican							
2020C0620	HICKERNELL, DAVID S.	2068 MEADOW ROAD	LANCASTER	7,810	Winner	22,412	
	Scattered			36		0	

	Scattered			0		39	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----99th Legislative District							
-----Democratic							
2020C1224	HODGE, RICHARD MICHAEL	392 EAST MAIN STREET	LANCASTER	2,817	Winner	7,680	
	Scattered			17		0	
-----Republican							
2020C0391	ZIMMERMAN, DAVID H.	314 DEERFIELD DRIVE	LANCASTER	7,016	Winner	21,187	
	Scattered			111		0	

	Scattered			0		56	
-----100th Legislative District							
-----Republican							
2020C0118	CUTLER, BRYAN D	1341 HARMONY RIDGE ROAD	LANCASTER	6,327	Winner	24,315	
	Scattered			21		0	

	Scattered			0		677	
-----Democratic							
	Scattered			186		0	
-----101st Legislative District							
-----Democratic							
2020C1067	CLEMENTS, CALVIN CRAIG	25 COUNTRY LANE	LEBANON	4,812	Winner	12,792	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				39		0	
-----Republican							
2020C0152	RYAN, FRANCIS X	1273 ASH LANE	LEBANON	8,045	Winner	21,611	
Scattered				130		0	

Scattered				0		41	
----102nd Legislative District							
-----Democratic							
2020C1065	DUVALL, MATTHEW	246 W MAIN ST	LEBANON	3,546	Winner	9,845	
Scattered				35		0	
-----Republican							
2020C0674	DIAMOND, RUSS	305 WEST SHERIDAN AVENUE	LEBANON	8,245	Winner	23,197	
Scattered				142		0	

Scattered				0		66	
----103rd Legislative District							
-----Democratic							
2020C0408	KIM, PATTY H	2418 N 2ND ST	DAUPHIN	7,655	Winner	22,460	
Scattered				19		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		725	
-----	Republican						
Scattered				270		0	
----	104th Legislative District						
-----	Democratic						
2020C0707	SMITH, PATRICIA A	4218 KIRKWOOD ROAD	DAUPHIN	7,782	Winner	16,371	
Scattered				67		0	
-----	Republican						
2020C0249	HELM, SUSAN C.	3537 ATHENA AVE.	DAUPHIN	7,171	Winner	20,735	
Scattered				29		0	

Scattered				0		77	
----	105th Legislative District						
-----	Democratic						
2020C0552	RODAS, BRITTNEY L	8106 LENKER DRIVE	DAUPHIN	8,134	Winner	19,814	
Scattered				77		0	
-----	Republican						
2020C0519	LEWIS, ANDREW	4514 ELWILL DRIVE	DAUPHIN	8,679	Winner	21,320	
Scattered				74		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		66	
----	106th Legislative District						
-----	Democratic						
2020C0553	DREW, LINDSAY	73 CAROUSEL CIRCLE	DAUPHIN	6,957	Winner	16,714	
Scattered				91		0	
-----	Republican						
2020C0136	MEHAFFIE, THOMAS L III	921 EBENEZER ROAD	DAUPHIN	3,976	Winner	19,283	
Scattered				30		0	

Scattered				0		80	
----	107th Legislative District						
-----	Republican						
2020C0278	MASSER, KURT A	466 W CENTER STREET	NORTHUMBERLAN D	5,995	Winner	23,053	
Scattered				35		0	
-----	Libertarian						
2020C1438	BOURINSKI, RYAN	436 E 7TH ST	NORTHUMBERLAN D			4,992	

Scattered				0		183	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Democratic							
	Scattered			269		0	
----108th Legislative District							
-----Republican							
2020C0199	SCHLEGEL CULVER, LYNDIA J	203 BECK ROAD	NORTHUMBERLAND	7,815	Winner	27,354	
	Scattered			42		0	

	Scattered			0		613	
-----Democratic							
	Scattered			267		0	
----109th Legislative District							
-----Democratic							
2020C0482	MONAHAN, WILLIAM T	4200 WOLF HOLLOW RD	COLUMBIA	4,219	Winner	7,334	
	Scattered			63		0	
-----Republican							
2020C0861	MILLARD, DAVID R.	75 CAROL DR	COLUMBIA	6,136	Winner	19,127	
	Scattered			43		0	
-----Independent							
2020C1455	NUSS, ROGER W	521 RIVER HILL DR	COLUMBIA			2,449	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		0	

----	110th Legislative District						
-----	Republican						
2020C0280	PICKETT, TINA	986 WESAUKING DRIVE	BRADFORD	7,809	Winner	24,855	
Scattered				103		0	
-----	Libertarian						
2020C1439	FREY, LAWRENCE D III	612 NORTH WILBUR AVE	BRADFORD			3,840	

Scattered				0		237	
-----	Democratic						
Scattered				334		0	

----	111th Legislative District						
-----	Republican						
2020C0143	FRITZ, JONATHAN A	101 BEECHNUT ROAD	WAYNE	8,317	Winner	26,472	
Scattered				36		0	

Scattered				0		973	
-----	Democratic						
Scattered				336		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----112th Legislative District							
-----Democratic							
2020C0775	MULLINS, KYLE	105 WOODLAND DR	LACKAWANNA	10,915	Winner	21,274	
Scattered				154		0	
-----Republican							
2020C1470	NOLDY, MARY ALICE	109 BARTON ST	LACKAWANNA	428	Winner	11,346	
Scattered				288		0	

Scattered				0		66	
----113th Legislative District							
-----Democratic							
2020C0315	FLYNN, MARTY	1520 ORAM ST	LACKAWANNA	8,602	Winner	20,308	
Scattered				288		0	
-----Republican							
2020C1030	KRESGE, WILLIAM JOHN	518 N. BROMLEY AVE.	LACKAWANNA	2,921	Winner	9,374	
Scattered				41		0	

Scattered				0		119	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----114th Legislative District							
-----Democratic							
2020C0710	KOSIEROWSKI, BRIDGET	6 STARLIGHT DR	LACKAWANNA	9,183	Winner	19,890	
Scattered				117		0	
-----Republican							
2020C0725	MAY, JAMES E IV	2137 NEWTON RANSOM BLVD	LACKAWANNA	5,285	Winner	17,030	
Scattered				59		0	

Scattered				0		38	
----115th Legislative District							
-----Democratic							
2020C0651	MADDEN, MAUREEN	7404 VENTNOR DR	MONROE	5,914	Winner	17,605	
Scattered				44		0	
-----Republican							
2020C0191	RIDDER, DULCE MARIA	131 STOKES AVE	MONROE	2,605	Winner	9,939	
Scattered				34		0	

Scattered				0		58	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----116th Legislative District							
-----Democratic							
2020C0702	EACHUS, TODD A.	15 WYETH PLACE	LUZERNE	3,510	Winner	7,338	
Scattered				115		0	
-----Republican							
2020C0529	TOOHIL, TARAH C.	115 N. OLD TURNPIKE ROAD	LUZERNE	6,293	Winner	19,167	
Scattered				39		0	

Scattered				0		13	
----117th Legislative District							
-----Republican							
2020C0514	BOBACK, KAREN	2263 LAKESIDE DRIVE	LUZERNE	8,198	Winner	28,963	
Scattered				74		0	

Scattered				0		600	
-----Democratic							
Scattered				414		0	
----118th Legislative District							
-----Democratic							
2020C0055	CARROLL, MICHAEL B	401 PARK DRIVE	LUZERNE	8,487	Winner	18,759	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				94		0	
-----	Republican						
2020C1028	HOLTER, ANDREW MICHAEL	41 REDWOOD DR	LUZERNE	4,678	Winner	16,283	
Scattered				53		0	

Scattered				0		25	
----	119th Legislative District						
-----	Democratic						
2020C0413	MULLERY, GERALD J	6 MARIE DR	LUZERNE	5,857	Winner	14,961	
Scattered				61		0	
-----	Republican						
2020C1298	CHURA, JOHN W.	610 N BROAD ST	LUZERNE	4,131	Winner	13,500	
Scattered				106		0	

Scattered				0		12	
----	120th Legislative District						
-----	Democratic						
2020C0838	SMITH, JOANNA BRYN	89 9TH STREET, APT 1	LUZERNE	6,835	Winner	11,934	
Scattered				82		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0233	KAUFER, AARON D.	643 CHARLES AVE	LUZERNE	5,730	Winner	20,428	
	Scattered			23		0	

	Scattered			0		16	
----121st Legislative District							
-----Democratic							
2020C0647	PASHINSKI, EDWIN	259 E NORTHAMPTON ST	LUZERNE	5,658	Winner	18,764	
	Scattered			51		0	

	Scattered			0		476	
-----Republican							
	Scattered			121		0	
----122nd Legislative District							
-----Democratic / Republican							
2020C1468	HEFFLEY, DOYLE	140 IRONWOOD RD	CARBON	416	Winner	28,398	

	Scattered			0		906	
-----Democratic							
	Scattered			0		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
	Scattered			4		0	
----123rd Legislative District							
-----Democratic							
2020C1231	SYMONS, PETER JAMES JR.	146 NORTHMORRIS STREET	SCHUYLKILL	4,495	Winner	9,004	
	Scattered			49		0	
-----Republican							
2020C0146	TWARDZIK, TIMOTHY F	200 BUTLER ROAD	SCHUYLKILL	3,612	Winner	15,090	
	Scattered			11		0	

	Scattered			0		41	
----124th Legislative District							
-----Democratic							
2020C0701	PICONE, TAYLOR EVAN	176 HEPNER ROAD	BERKS	4,133	Winner	8,972	
	Scattered			48		0	
-----Republican							
2020C0160	KNOWLES, JEROME P	16 OXFORD STREET	SCHUYLKILL	8,138	Winner	23,111	
	Scattered			84		0	

	Scattered			0		71	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----125th Legislative District							
-----Republican							
2020C0182	KERWIN, JOSEPH P	100 IRISH ROAD	DAUPHIN	4,939	Winner	28,076	
Scattered				17		0	

Scattered				0		753	
-----Democratic							
Scattered				288		0	
----126th Legislative District							
-----Democratic							
2020C0267	ROZZI, MARK L	1018 BOWMAN STREET	BERKS	6,548	Winner	18,508	
Scattered				32		0	
-----Republican							
2020C0640	OSWALD, JAMES DANIEL	47 OLD FRIEDENSBURG RD	BERKS	2,899	Winner	8,961	
Scattered				41		0	

Scattered				0		30	
----127th Legislative District							
-----Democratic							
2020C0892	GUZMAN, MANUEL JR	234 S. 4TH STREET	BERKS	1,672	Winner	11,786	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				13		0	
-----Republican							
2020C1245	GAGLIARDO, VINCENT D JR	1371 WINGATE AVE	BERKS	448	Winner	4,372	
Scattered				5		0	

Scattered				0		39	
----128th Legislative District							
-----Republican							
2020C0129	GILLEN, MARK M	138 HANNA KURTZ ROAD	BERKS	7,619	Winner	30,348	
Scattered				20		0	

Scattered				0		1,395	
-----Democratic							
Scattered				395		0	
----129th Legislative District							
-----Democratic							
2020C0642	MCDONOUGH, KELLY	208 AMHERST AVENUE	BERKS	6,169	Winner	15,682	
Scattered				34		0	
-----Republican							
2020C0201	COX, JAMES A. JR.	2504 JOHN HENRY DRIVE	BERKS	7,218	Winner	21,067	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				55		0	

Scattered				0		27	
----130th Legislative District							
-----Democratic							
2020C0700	FOLEY, FRANCIS LAMAR JR	386 WATER ST	BERKS	5,950	Winner	13,332	
Scattered				45		0	
-----Republican							
2020C0302	MALONEY, DAVID M. SR.	320 MERKLE ROAD	BERKS	6,945	Winner	23,508	
Scattered				51		0	

Scattered				0		22	
----131st Legislative District							
-----Democratic							
2020C1286	BRANCO, KEVIN	6003 VALLEY FORGE DRIVE	LEHIGH	7,772	Winner	18,959	
Scattered				47		0	
-----Republican							
2020C0145	MACKENZIE, V MILOU	2050 DENNIS LANE	NORTHAMPTON	3,525	Winner	22,488	
Scattered				36		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		60	
----132nd Legislative District							
-----Democratic							
2020C0138	SCHLOSSBERG, MICHAEL	944 N 19TH ST	LEHIGH	6,018	Winner	17,025	
Scattered				95		0	
-----Republican							
2020C1472	MCCREARY, MICHAEL L	2847 W GORDON ST	LEHIGH	633	Winner	8,051	
Scattered				142		0	

Scattered				0		45	
----133rd Legislative District							
-----Democratic							
2020C0825	MCNEILL, JEANNE	3163 N FRONT ST	LEHIGH	7,494	Winner	18,844	
Scattered				44		0	
-----Republican							
2020C1155	MOLONY, DAVID	101 BRIDGE STREET	LEHIGH	3,468	Winner	12,227	
Scattered				34		0	

Scattered				0		67	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----134th Legislative District							
-----Democratic							
2020C1474	BASIST, MARC I	807 PINNACLE DR	LEHIGH	363	Winner	15,618	
Scattered				572		0	
-----Republican							
2020C0065	MACKENZIE, RYAN	3192 BOYALSTON CIRCLE	LEHIGH	7,184	Winner	23,485	
Scattered				43		0	

Scattered				0		63	
----135th Legislative District							
-----Democratic							
2020C0558	SAMUELSON, STEPHEN P	2665 WEST BLVD	NORTHAMPTON	7,430	Winner	19,862	
Scattered				23		0	
-----Republican							
2020C0085	HOUGH, SCOTT J	2037 EDGEHILL RD	NORTHAMPTON	2,608	Winner	10,415	
Scattered				20		0	

Scattered				0		46	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----136th Legislative District							
-----Democratic							
2020C0508	FREEMAN, ROBERT	711 BURKE ST	NORTHAMPTON	6,721	Winner	21,406	
	Scattered			20		0	

	Scattered			0		383	
-----Republican							
	Scattered			134		0	
----137th Legislative District							
-----Democratic							
2020C1075	BRENNAN, KATELIND A	6 HOLLY CT	NORTHAMPTON	6,301	Winner	13,793	
	Scattered			0		0	
-----Republican							
2020C0135	EMRICK, JOSEPH T	2312 BLUE JAY DRIVE	NORTHAMPTON	5,822	Winner	23,807	
	Scattered			31		0	

	Scattered			0		25	
----138th Legislative District							
-----Democratic							
2020C0527	ZRINSKI, TARA M	4715 HARRIET LANE	NORTHAMPTON	7,342	Winner	18,360	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				45		0	
-----Republican							
2020C0622	FLOOD, ANN L	2157 WEST DELL ROAD	NORTHAMPTON	4,417	Winner	23,535	
Scattered				28		0	

Scattered				0		43	
----139th Legislative District							
-----Democratic							
2020C0757	KEEGAN, MARIAN S	130 TRAILWOOD DR	PIKE	4,515	Winner	11,359	
Scattered				57		0	
-----Republican							
2020C0206	PEIFER, MICHAEL	138 LAKE PAUPAC ROAD	PIKE	7,325	Winner	24,597	
Scattered				62		0	

Scattered				0		16	
----140th Legislative District							
-----Democratic							
2020C0682	GALLOWAY, JOHN T	74 VIEWPOINT LN	BUCKS	7,886	Winner	19,837	
Scattered				58		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0507	MCGEE, JEANINE MARY	509 CEDAR STREET	BUCKS	3,437	Winner	13,229	
	Scattered			18		0	

	Scattered			0		49	
----141st Legislative District							
-----Democratic							
2020C0128	DAVIS, TINA	409 HARRIS AVE	BUCKS	6,981	Winner	19,357	
	Scattered			30		0	
-----Republican							
2020C0709	BELLERBY-ALLEN, KELLY A	803 THIRD AVENUE	BUCKS	3,444	Winner	11,529	
	Scattered			24		0	

	Scattered			0		51	
----142nd Legislative District							
-----Democratic							
2020C1247	LAREAU, MALINDA LAUREN	1801 OLD LINCOLN HWY, APT 4	BUCKS	8,330	Winner	16,441	
	Scattered			31		0	
-----Republican							
2020C0354	FARRY, FRANK A III	203 NATIONAL AVENUE	BUCKS	7,655	Winner	25,914	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				24		0	

Scattered				0		59	
----143rd Legislative District							
-----Democratic							
2020C0504	ULLMAN, WENDY	5747 RIDGEVIEW	BUCKS	9,291	Winner	21,215	
Scattered				28		0	
-----Republican							
2020C0683	LABS, SHELBY E.	6162 GERMAN RD.	BUCKS	7,267	Winner	22,553	
Scattered				30		0	

Scattered				0		52	
----144th Legislative District							
-----Democratic							
2020C0194	SPELLANE, GARY P	3488 POND VIEW DR	BUCKS	7,512	Winner	18,371	
Scattered				35		0	
-----Republican							
2020C0215	POLINCHOCK, F. TODD	426 WINDING LN	BUCKS	7,185	Winner	22,915	
Scattered				28		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		37	
----	145th Legislative District						
-----	Democratic						
2020C1339	COLAJEZZI, ROBYN	1006 BARTRAM LANE	BUCKS	6,328	Winner	15,201	
Scattered				28		0	
-----	Republican						
2020C0652	STAATS, CRAIG T	1613 SALEM LANE	BUCKS	7,314	Winner	22,482	
Scattered				26		0	

Scattered				0		41	
----	146th Legislative District						
-----	Democratic						
2020C0317	CIRESI, JOSEPH P	120 CONNOR DR	MONTGOMERY	7,779	Winner	20,719	
Scattered				217		0	
-----	Republican						
2020C0537	NEAFCY, THOMAS J JR	103 W LINFIELD TRAPPE ROAD	MONTGOMERY	4,721	Winner	15,731	
Scattered				872		0	

Scattered				0		61	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----147th Legislative District							
-----Democratic							
2020C0426	DENNIN, JILL A	1210 MEGA LANE	MONTGOMERY	6,520	Winner	16,534	
Scattered				56		0	
-----Republican							
2020C0530	PENNYCUICK, TRACY ELIZABETH	937 CLUBHOUSE DRIVE	MONTGOMERY	5,862	Winner	21,437	
Scattered				32		0	
-----Libertarian							
2020C1440	MARTIN, JARED DANIEL	630 HAMMERSMYTH COURT	MONTGOMERY			1,207	
Scattered				0		23	
----148th Legislative District							
-----Democratic							
2020C0488	DALEY, MARY JOSEPHINE	1294 MONTGOMERY AVE	MONTGOMERY	14,572	Winner	31,559	
Scattered				55		0	
-----Republican							
2020C1061	ANDERSON, ALLEN ARTHUR	41 COLTON DRIVE	MONTGOMERY	3,915	Winner	13,489	
Scattered				75		0	
Scattered				0		53	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----149th Legislative District							
-----Democratic							
2020C0429	BRIGGS, TIM	532 GENERAL KNOX RD	MONTGOMERY	12,535	Winner	28,706	
Scattered				54		0	
-----Republican							
2020C1477	MICHAEL, WILLIAM ANDREW	550 NORWYCK DR	MONTGOMERY	398	Winner	12,275	
Scattered				796		0	

Scattered				0		63	
----150th Legislative District							
-----Democratic							
2020C0490	WEBSTER, JOSEPH	110 TYSON MILL RD	MONTGOMERY	8,500	Winner	20,594	
Scattered				32		0	
-----Republican							
2020C0432	MAZZA, BETH ANN	100 MILL GROVE DRIVE	MONTGOMERY	5,778	Winner	17,217	
Scattered				76		0	

Scattered				0		38	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----151st Legislative District							
-----Democratic							
2020C0452	KASSA, JONATHAN	139 GWYNMONT DR.	MONTGOMERY	8,889	Winner	18,604	
Scattered				48		0	
-----Republican							
2020C1296	STEPHENS, WILLIAM TODD	644 COLONIAL DRIVE	MONTGOMERY	5,881	Winner	21,074	
Scattered				58		0	

Scattered				0		44	
----152nd Legislative District							
-----Democratic							
2020C0175	GUENST, NANCY	206 ACADEMY ROAD	MONTGOMERY	9,384	Winner	20,208	
Scattered				59		0	
-----Republican							
2020C0636	HOUCK, KAREN M.	178 DEER RUN RD.	MONTGOMERY	5,445	Winner	16,701	
Scattered				59		0	
-----Independent							
2020C1435	WEINRICH, JOHN SR	2000 RICHARD RD	MONTGOMERY			2,734	

Scattered				0		37	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----153rd Legislative District							
-----Democratic							
2020C0221	SANCHEZ, BENJAMIN V	356 EVERGREEN RD	MONTGOMERY	14,528	Winner	30,434	
Scattered				44		0	
-----Libertarian							
2020C1451	BOZZACCO, MARC	103 EDGE HILL RD	MONTGOMERY			9,088	
Scattered				0		303	
-----Republican							
Scattered				378		0	
----154th Legislative District							
-----Democratic							
2020C0113	NELSON, NAPOLEON J SR	18 POE AVENUE	MONTGOMERY	7,101	Winner	30,610	
Scattered				26		0	
-----Republican							
2020C0770	BOWERS, KATHLEEN	415 PAXSON AVENUE	MONTGOMERY	2,629	Winner	8,776	
Scattered				58		0	
Scattered				0		55	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----155th Legislative District							
-----Democratic							
2020C0829	FRIEL OTTEN, DANIELLE	400 DEVON DR	CHESTER	7,388	Winner	25,140	
Scattered				21		0	
-----Republican							
2020C0854	TAYLOR, MICHAEL THOMAS	462 CREEKSIDE DRIVE	CHESTER	6,092	Winner	19,766	
Scattered				88		0	

Scattered				0		36	
----156th Legislative District							
-----Democratic							
2020C1479	HERRIN, DIANNE	306 N FRANKLIN ST	CHESTER		Winner	21,956	
Scattered				64		0	
-----Republican							
2020C0673	IACONO, LEONARD J.	1324 MARY JANE LN	CHESTER	6,017	Winner	17,718	
Scattered				90		0	

Scattered				0		52	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----157th Legislative District							
-----Democratic							
2020C0190	SHUSTERMAN, MELISSA L	385 SHELBOURNE LANE	CHESTER	10,356	Winner	25,238	
Scattered				38		0	
-----Republican							
2020C1471	WALTERS, BRYAN D	1361 VALLEY FORGE RD	CHESTER	635	Winner	15,161	
Scattered				500		0	

Scattered				0		35	
----158th Legislative District							
-----Democratic							
2020C0750	SAPPEY, CHRISTINA	1431 TELEGRAPH RD	CHESTER	8,461	Winner	19,324	
Scattered				32		0	
-----Republican							
2020C1207	ROE, ERIC MARK	1332 W. STRASBURG ROAD	CHESTER	5,487	Winner	18,816	
Scattered				72		0	

Scattered				0		52	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----159th Legislative District							
-----Democratic							
2020C0704	KIRKLAND, BRIAN	1006 W 7TH ST	CHESTER	4,308	Winner	17,558	
Scattered				16		0	
-----Republican							
2020C1309	MOTON, RUTH	2250 BLUEBALL AVENUE	DELAWARE	2,144	Winner	6,972	
Scattered				81		0	

Scattered				0		91	
----160th Legislative District							
-----Democratic							
2020C0556	ANDREW, ANTON N	26 SOUTHRIDGE DRIVE	CHESTER	5,210	Winner	19,798	
Scattered				11		0	
-----Republican							
2020C0313	WILLIAMS, WENDELL CRAIG	61 RUNNING BROOK ROAD	DELAWARE	6,999	Winner	20,408	
Scattered				63		0	

Scattered				0		41	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----161st Legislative District							
-----Democratic							
2020C0487	KRUEGER, LEANNE	815 S PROVIDENCE RD	DELAWARE	9,235	Winner	22,764	
Scattered				32		0	
-----Republican							
2020C0819	SHICATANO, RALPH F. JR.	269 BEATRICE LANE	DELAWARE	6,845	Winner	17,169	
Scattered				60		0	

Scattered				0		30	
----162nd Legislative District							
-----Democratic							
2020C0554	DELLOSO, DAVID M	2136 HIGHLAND AVE	DELAWARE	6,445	Winner	18,693	
Scattered				42		0	
-----Republican							
2020C0468	GAGLIO, PETER THOMAS JR	924 CHESTER PIKE, APT 1	DELAWARE	6,131	Winner	15,731	
Scattered				52		0	

Scattered				0		61	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----163rd Legislative District							
-----Democratic							
2020C0295	ZABEL, MICHAEL P	1212 MORGAN AVE	DELAWARE	9,129	Winner	22,259	
Scattered				35		0	
-----Republican							
2020C0437	MCCOLLUM, MICHAEL	1332 DERMOND RD	DELAWARE	5,784	Winner	14,680	
Scattered				48		0	

Scattered				0		80	
----164th Legislative District							
-----Democratic							
2020C0147	DAVIDSON, MARGO L	333 CLEARBROOK AVE	DELAWARE	10,283	Winner	24,398	
Scattered				95		0	

Scattered				0		1,439	
-----Republican							
Scattered				172		0	
----165th Legislative District							
-----Democratic							
2020C0447	O'MARA, JENNIFER	618 PROSPECT RD	DELAWARE	8,343	Winner	21,529	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				29		0	
-----Republican							
2020C0462	SMYTHE, ROBERT F. JR.	341 HAWARDEN ROAD	DELAWARE	7,632	Winner	20,222	
Scattered				91		0	

Scattered				0		43	
----166th Legislative District							
-----Democratic							
2020C0307	VITALI, GREG	684 LAWSON AVE	DELAWARE	7,775	Winner	28,803	
Scattered				18		0	
-----Republican							
2020C0821	BOYLE, CHRISTINE E	357 HIGHLAND LANE	DELAWARE	4,085	Winner	11,830	
Scattered				47		0	

Scattered				0		59	
----167th Legislative District							
-----Democratic							
2020C0763	HOWARD, KRISTINE C	55 FRAZER ROAD, APARTMENT CHESTER OK 135		6,286	Winner	24,261	
Scattered				20		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0428	LELAND, WENDY GRAHAM	7 GREAT WOODS LANE	CHESTER	5,439	Winner	19,211	
	Scattered			87		0	

	Scattered			0		52	
----168th Legislative District							
-----Democratic							
2020C0708	CIAMACCA, DEBRA A	301 RADNOR STREET	DELAWARE	6,017	Winner	21,526	
	Scattered			19		0	
-----Republican							
2020C0459	QUINN, CHRISTOPHER B	26 CARRIAGE DRIVE	DELAWARE	7,685	Winner	22,399	
	Scattered			49		0	

	Scattered			0		51	
----169th Legislative District							
-----Republican							
2020C0197	KLUNK, KATE ANNE	7 OAK STREET	YORK	7,511	Winner	29,957	
	Scattered			44		0	

	Scattered			0		1,623	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Democratic							
Scattered				63		0	
----170th Legislative District							
-----Democratic							
2020C1475	DOYLE, MICHAEL F JR	12619 DUNKS FERRY RD	PHILADELPHIA	328	Winner	11,586	
Scattered				161		0	
-----Republican							
2020C0491	WHITE, MARTINA A	11819 COLMAN TERRACE	PHILADELPHIA	3,510	Winner	17,693	
Scattered				13		0	

Scattered				0		17	
----171st Legislative District							
-----Democratic							
2020C0334	BUCKLAND, PETER DAWSON	924 HOUSERVILLE RD	CENTRE	7,723	Winner	15,298	
Scattered				36		0	
-----Republican							
2020C0250	BENNINGHOFF, KERRY A	704 W LAMB STREET	CENTRE	8,795	Winner	24,322	
Scattered				37		0	

Scattered				0		35	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----172nd Legislative District							
-----Democratic							
2020C1027	BOYLE, KEVIN J	9816 REDD RAMBLER DR	PHILADELPHIA	6,711	Winner	16,426	
Scattered				38		0	
-----Republican							
2020C1044	BASHIR, HAROON	2217 GLENVIEW ST	PHILADELPHIA	2,414	Winner	10,420	
Scattered				21		0	

Scattered				0		32	
----173rd Legislative District							
-----Democratic							
2020C0662	DRISCOLL, MICHAEL	9630 MILNOR ST	PHILADELPHIA	6,023	Winner	17,606	
Scattered				41		0	

Scattered				0		158	
-----Republican							
Scattered				38		0	
----174th Legislative District							
-----Democratic							
2020C0632	NEILSON, ED	3812 CHALFONT DRIVE	PHILADELPHIA	6,423	Winner	18,327	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				35		0	

Scattered				0		207	
-----	Republican						
Scattered				43		0	
----	175th Legislative District						
-----	Democratic						
2020C0131	ISAACSON, MARYLOUISE	714 N 3RD ST	PHILADELPHIA	5,361	Winner	30,233	
Scattered				14		0	

Scattered				0		291	
-----	Republican						
Scattered				44		0	
----	176th Legislative District						
-----	Democratic						
2020C0423	WILLIAMS, CLAUDETTE	9 CANDLEWOOD LANE	MONROE	5,302	Winner	14,445	
Scattered				32		0	
-----	Republican						
2020C0275	RADER, JACK B JR	1186 MOUNTAIN SPRINGS DRIVE	MONROE	4,965	Winner	17,736	
Scattered				24		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		58	
----177th Legislative District							
-----Democratic							
2020C0126	HOHENSTEIN, JOE	1117 WAKELING ST	PHILADELPHIA	6,268	Winner	15,640	
Scattered				81		0	
-----Republican							
2020C0493	NUNGESSER, JOHN ARTHUR	2966 LIVINGSTON STREET	PHILADELPHIA	2,184	Winner	10,470	
Scattered				51		0	

Scattered				0		20	
----178th Legislative District							
-----Democratic							
2020C0438	MITCHELL, ANN MARIE	172 GOLFVIEW DRIVE	BUCKS	8,566	Winner	19,927	
Scattered				29		0	
-----Republican							
2020C0360	THOMAS, WENDI	107 GLENIFFER HILL ROAD	BUCKS	7,436	Winner	24,784	
Scattered				26		0	

Scattered				0		51	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----179th Legislative District							
-----Democratic							
2020C0063	DAWKINS, JASON T	4612 LESHER STREET	PHILADELPHIA	6,885	Winner	18,951	
Scattered				15		0	

Scattered				0		91	
-----Republican							
Scattered				11		0	
----180th Legislative District							
-----Democratic							
2020C1047	CRUZ, ANGEL L	302 E TIOGA STREET	PHILADELPHIA	3,203	Winner	13,558	
Scattered				28		0	

Scattered				0		96	
-----Republican							
Scattered				13		0	
----181st Legislative District							
-----Democratic							
2020C0045	KENYATTA, MALCOLM	1903 W MASTER ST	PHILADELPHIA	10,377	Winner	25,258	
Scattered				60		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		152	
-----	Republican						
Scattered				13		0	
----	182nd Legislative District						
-----	Democratic						
2020C1314	SIMS, BRIAN K	505 S SARTAIN ST	PHILADELPHIA	10,285	Winner	34,225	
Scattered				8		0	
-----	Republican						
2020C0443	MURRAY, ANDREW I	143 N. 22ND STREET, UNIT D	PHILADELPHIA	966	Winner	6,969	
Scattered				14		0	

Scattered				0		77	
----	183rd Legislative District						
-----	Democratic						
2020C0693	RUFF, JASON	256 LONG ALY	LEHIGH	6,520	Winner	14,211	
Scattered				47		0	
-----	Republican						
2020C0172	MAKO, ZACHARY ALLEN	1170 MYRTLE RD	NORTHAMPTON	6,434	Winner	22,254	
Scattered				37		0	

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		64	
----	184th Legislative District						
-----	Democratic						
2020C0174	FIEDLER, ELIZABETH	527 MIFFLIN ST	PHILADELPHIA	10,446	Winner	20,243	
Scattered				46		0	
-----	Republican						
2020C1126	MENNA, LOUIS T. IV	1017 MOLLBORE TER	PHILADELPHIA	1,184	Winner	8,240	
Scattered				8		0	

Scattered				0		23	
----	185th Legislative District						
-----	Democratic						
2020C0181	YOUNG, REGINA GENELL	2602 SOUTH 73RD STREET	PHILADELPHIA	7,230	Winner	23,825	
Scattered				21		0	

Scattered				0		219	
-----	Republican						
Scattered				52		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----186th Legislative District							
-----Democratic							
2020C0992	HARRIS, JORDAN ALEXANDER	1353 S 31ST	PHILADELPHIA	14,041	Winner	31,994	
	Scattered			72		0	

	Scattered			0		226	
-----Republican							
	Scattered			27		0	
----187th Legislative District							
-----Democratic							
2020C0678	BLICHAR, MICHAEL E JR	107 NOBLE STREET	BERKS	6,140	Winner	14,602	
	Scattered			49		0	
-----Republican							
2020C0092	DAY, GARY	5934 MEMORIAL RD	LEHIGH	7,015	Winner	23,335	
	Scattered			71		0	

	Scattered			0		79	
----188th Legislative District							
-----Democratic							
2020C0404	KRAJEWSKI, RICK CHESTER	4943 CHESTNUT STREET, UNIT 2	PHILADELPHIA	6,274	Winner	25,256	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				18		0	

Scattered				0		195	
-----	Republican						
Scattered				18		0	
----	189th Legislative District						
-----	Democratic						
2020C0687	RODRIGUEZ, ADAM A	213 SPYGLASS COURT	MONROE	5,222	Winner	12,502	
Scattered				55		0	
-----	Republican						
2020C0130	BROWN, ROSEMARY MAULA	577 WESTLAKE DRIVE	MONROE	4,320	Winner	18,408	
Scattered				22		0	

Scattered				0		19	
----	190th Legislative District						
-----	Democratic						
2020C0052	BROWN, AMEN	3600 CONSHOHOCKEN AVE	PHILADELPHIA	5,996	Winner	27,869	
Scattered				28		0	
-----	Republican						
2020C1106	LOGAN, WANDA	5458 LOCUST STREET	PHILADELPHIA	135	Winner	1,555	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				6		0	

Scattered				0		42	
----	191st Legislative District						
-----	Democratic						
2020C0096	MCCLINTON, JOANNA	6021 WASHINGTON AVE	PHILADELPHIA	10,535	Winner	25,065	
Scattered				40		0	

Scattered				0		153	
-----	Republican						
Scattered				20		0	
----	192nd Legislative District						
-----	Democratic						
2020C0062	CEPHAS, MORGAN B	5746 Drexel Road	PHILADELPHIA	14,420	Winner	2,919	
Scattered				156		0	

Scattered				0		102	
-----	Republican						
Scattered				17		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----193rd Legislative District							
-----Republican							
2020C0211	ECKER, TORREN C.	80 STONYBROOK LANE	ADAMS	8,903	Winner	28,539	
Scattered				25		0	

Scattered				0		1,012	
-----Democratic							
Scattered				200		0	
----194th Legislative District							
-----Democratic							
2020C0911	DELISSIO, PAMELA A	366 F CINNAMINSON ST	PHILADELPHIA	14,131	Winner	27,965	
Scattered				123		0	
-----Republican							
2020C1040	RILEY, LISA GOLDMAN	4301 TOWER ST	PHILADELPHIA	1,809	Winner	8,738	
Scattered				13		0	
-----Libertarian							
2020C1452	BALTSAR, MATTHEW RYAN	4320 DEXTER ST	PHILADELPHIA			958	

Scattered				0		37	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----195th Legislative District							
-----Democratic							
2020C0777	BULLOCK, DONNA	3128 W BERKS ST	PHILADELPHIA	14,088	Winner	30,022	
Scattered				48		0	

Scattered				0		171	
-----Republican							
Scattered				25		0	
----196th Legislative District							
-----Republican							
2020C0604	GROVE, SETH MICHAEL	1854 ASHCOMBE DRIVE	YORK	8,101	Winner	28,818	
Scattered				62		0	

Scattered				0		1,428	
-----Democratic							
Scattered				0		0	
----197th Legislative District							
-----Democratic							
2020C0550	BURGOS, DANILO R.	3803 N 7TH ST	PHILADELPHIA	5,692	Winner	18,892	
Scattered				99		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		45	
-----	Republican						
Scattered				7		0	
----	198th Legislative District						
-----	Democratic						
2020C0433	PARKER, DARISHA K	4651 MORRIS ST	PHILADELPHIA	3,591	Winner	25,464	
Scattered				17		0	

Scattered				0		75	
-----	Republican						
Scattered				15		0	
----	199th Legislative District						
-----	Democratic						
2020C0386	CROSSLEY, JANELLE KAYLA	4510 ENOLA RD	CUMBERLAND	5,462	Winner	12,431	
Scattered				0		0	
-----	Republican						
2020C0300	GLEIM, BARBARA J	450 SHERWOOD DRIVE	CUMBERLAND	7,588	Winner	21,678	
Scattered				0		0	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		43	
----	200th Legislative District						
-----	Democratic						
2020C0257	RABB, CHRIS	314 WADSWORTH AVE	PHILADELPHIA	21,579	Winner	36,437	
Scattered				49		0	

Scattered				0		141	
-----	Republican						
Scattered				24		0	
----	201st Legislative District						
-----	Democratic						
2020C0531	KINSEY, STEPHEN	6356 SHERMAN ST	PHILADELPHIA	11,960	Winner	26,663	
Scattered				50		0	

Scattered				0		93	
-----	Republican						
Scattered				7		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
----202nd Legislative District							
-----Democratic							
2020C1363	SOLOMON, JARED	6616 LARGE ST	PHILADELPHIA	6,458	Winner	18,116	
	Scattered			25		0	

	Scattered			0		112	
-----Republican							
	Scattered			38		0	
----203rd Legislative District							
-----Democratic							
2020C0623	FITZGERALD, ISABELLA	1961 PENFIELD STREET	PHILADELPHIA	12,355	Winner	27,126	
	Scattered			17		0	

	Scattered			0		66	
-----Republican							
	Scattered			10		0	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
SENATOR IN THE GENERAL ASSEMBLY							
-----1st Senatorial District							
-----Democratic							
2020C1272	SAVAL, NIKIL	525 QUEEN STREET	PHILADELPHIA	35,747	Winner	124,514	
Scattered				68		0	

Scattered				0		1,401	
-----Republican							
Scattered				243		0	
-----3rd Senatorial District							
-----Democratic							
2020C0046	STREET, SHARIF T	2003 N GRATZ ST	PHILADELPHIA	36,862	Winner	90,323	
Scattered				147		0	

Scattered				0		466	
-----Republican							
Scattered				63		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----5th Senatorial District							
-----Democratic							
2020C1057	SABATINA, JOHN P. JR.	13420 STEVENS ROAD	PHILADELPHIA	23,624	Winner	69,514	
Scattered				98		0	

Scattered				0		770	
-----Republican							
Scattered				215		0	
-----7th Senatorial District							
-----Democratic							
2020C0066	HUGHES, VINCENT J	2639 LENAPE RD	PHILADELPHIA	51,032	Winner	115,760	
Scattered				153		0	

Scattered				0		1,828	
-----Republican							
Scattered				450		0	
-----9th Senatorial District							
-----Democratic							
2020C0728	KANE, JOHN I	1109 RADLEY DR	CHESTER	18,839	Winner	80,198	
Scattered				70		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0455	KILLION, THOMAS H.	3 LAURA LYNN LANE	DELAWARE	25,410	Winner	74,173	
	Scattered			280		0	

	Scattered			0		171	
----11th Senatorial District							
-----Democratic							
2020C0753	SCHWANK, JUDITH L	169 STITZER RD	BERKS	23,638	Winner	66,735	
	Scattered			106		0	
-----Republican							
2020C0656	BAKER, ANNETTE C	15 GLENNOLA DRIVE	BERKS	16,769	Winner	47,624	
	Scattered			122		0	

	Scattered			0		99	
----13th Senatorial District							
-----Democratic							
2020C1046	TEMIN, JANET	215 LEPORE DR	LANCASTER	12,490	Winner	58,524	
	Scattered			38		0	
-----Republican							
2020C0363	MARTIN, SCOTT F	430 RED HILL ROAD	LANCASTER	23,386	Winner	73,371	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				220		0	

Scattered				0		145	
----15th Senatorial District							
-----Democratic							
2020C0382	SCOTT, GEORGE B	631 SOUTH FRONT ST	DAUPHIN	21,672	Winner	66,632	
Scattered				79		0	
-----Republican							
2020C0427	DISANTO, GIOVANNI M	6130 MINGLEWOOD ROAD	DAUPHIN	29,768	Winner	71,119	
Scattered				245		0	

Scattered				0		197	
----17th Senatorial District							
-----Democratic							
2020C1058	CAPPELLETTI, AMANDA M	412 STONY WAY	MONTGOMERY	33,857	Winner	105,840	
Scattered				120		0	
-----Republican							
2020C1292	FISHER, ELLEN	117 N. CONCORD AVENUE	DELAWARE	16,091	Winner	54,750	
Scattered				186		0	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner

Scattered				0		274	
----	19th Senatorial District						
-----	Democratic						
2020C1343	COMITTA, CAROLYN	115 S. BRANDYWINE ST.	CHESTER	18,914	Winner	88,996	
Scattered				66		0	
-----	Republican						
2020C0598	RUNEY, KEVIN T	95 INNISCRONE DR	CHESTER	19,342	Winner	65,836	
Scattered				287		0	

Scattered				0		137	
----	21st Senatorial District						
-----	Democratic						
2020C1048	STROMYER, SHELBY LYNN	16 PINOAK CIRCLE	VENANGO	18,435	Winner	40,573	
Scattered				214		0	
-----	Republican						
2020C0223	HUTCHINSON, SCOTT E	713 W 1ST ST	VENANGO	33,878	Winner	98,634	
Scattered				140		0	

Scattered				0		112	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----23rd Senatorial District							
-----Democratic							
2020C1345	BAKER, JACLYN E	23842 STATE ROUTE 29	SUSQUEHANNA	13,402	Winner	32,131	
Scattered				177		0	
-----Republican							
2020C0208	YAW, EMERSON EUGENE	1916 MOUNT VIEW AVE	LYCOMING	31,463	Winner	87,037	
Scattered				217		0	

Scattered				0		156	
-----25th Senatorial District							
-----Democratic							
2020C0816	BROWN, MARGARET SATTERWHITE	106 SUMAR RD.	ELK	14,038	Winner	30,618	
Scattered				638		0	
-----Republican							
2020C0768	DUSH, CRIS	18807 ROUTE 322	JEFFERSON	23,087	Winner	88,994	
Scattered				124		0	

Scattered				0		98	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----27th Senatorial District							
-----Democratic							
2020C1240	SIEGEL, MICHELLE LYNN	207 WEST CHESTNUT ST.	SNYDER	14,563	Winner	32,135	
Scattered				156		0	
-----Republican							
2020C0205	GORDNER, JOHN R	1914 BRITTAIN STREET	COLUMBIA	27,169	Winner	83,629	
Scattered				105		0	

Scattered				0		46	
-----29th Senatorial District							
-----Republican							
2020C0159	ARGALL, DAVID G	106 LAKE DRIVE	SCHUYLKILL	29,959	Winner	106,205	
Scattered				258		0	

Scattered				0		3,842	
-----Democratic							
Scattered				1,626		0	
-----31st Senatorial District							
-----Democratic							
2020C0247	DANIELSON, SHANNA	170 MARTEL CIRCLE	YORK	12,187	Winner	62,123	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				53		0	
-----Republican							
2020C0416	REGAN, MICHAEL	35 AFFIRMED DRIVE	YORK	35,634	Winner	95,228	
Scattered				114		0	

Scattered				0		124	
----33rd Senatorial District							
-----Democratic							
2020C1069	STERNER, RICHARD L	10 HALLECK DRIVE	ADAMS	16,722	Winner	43,914	
Scattered				303		0	
-----Republican							
2020C0219	MASTRIANO, DOUGLAS VINCENT	280 MOUNT UNION ROAD	FRANKLIN	34,301	Winner	96,097	
Scattered				483		0	

Scattered				0		156	
----35th Senatorial District							
-----Democratic							
2020C0557	DOUGHERTY, SHAUN A	2201 MENOHER BLVD	CAMBRIA	19,184	Winner	32,794	
Scattered				327		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----Republican							
2020C0207	LANGERHOLC, WAYNE JR.	413 OLD FARM LANE	CAMBRIA	29,042	Winner	91,595	
	Scattered			137		0	

	Scattered			0		87	
----37th Senatorial District							
-----Democratic							
2020C0901	IOVINO, PAMELA M	750 WASHINGTON RD #201	ALLEGHENY	43,051	Winner	84,582	
	Scattered			392		0	
-----Republican							
2020C0562	ROBINSON, DEVLIN	193 CALVERT STREET	ALLEGHENY	16,861	Winner	92,027	
	Scattered			194		0	

	Scattered			0		140	
----39th Senatorial District							
-----Democratic							
2020C0586	WALTENBAUGH, TAY R.	293 ROCKY MT. ROAD	WESTMORELAND	25,362	Winner	44,678	
	Scattered			376		0	
-----Republican							
2020C0209	WARD, KIM	300 OLD AIRPORT ROAD	WESTMORELAND	27,583	Winner	99,310	

Votes Cast Report

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Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
Scattered				291		0	

Scattered				0		134	

-----	41st Senatorial District						
-----	Democratic						
2020C0721	DELORETO, ANTHONY J	36 OVERLOOK DRIVE	INDIANA	18,216	Winner	34,610	
Scattered				261		0	
-----	Republican						
2020C0210	PITTMAN, JOE	254 CHESTNUT STREET	INDIANA	30,650	Winner	92,542	
Scattered				138		0	

Scattered				0		98	
-----	43rd Senatorial District						
-----	Democratic						
2020C0296	COSTA, JAY JR	314 NEWPORT RD	ALLEGHENY	42,521	Winner	117,888	
Scattered				138		0	

Scattered				0		3,092	
-----	Republican						
Scattered				1,303		0	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----45th Senatorial District							
-----Democratic							
2020C0217	BREWSTER, JAMES R	455 29TH STREET	ALLEGHENY	36,044	Winner	66,261	
Scattered				385		0	
-----Republican							
2020C0196	ZICCARELLI, NICOLE W.	330 CLAREMONT DR	WESTMORELAND	14,939	Winner	66,192	
Scattered				236		0	

Scattered				0		153	
-----47th Senatorial District							
-----Democratic							
2020C1131	KRIZAN, STEPHEN JOHN III	732 COLONIAL AVENUE	BEAVER	24,870	Winner	44,595	
Scattered				466		0	
-----Republican							
2020C0418	VOGEL , ELDER A JR	566 GLEN EDEN RD	BEAVER	23,715	Winner	88,419	
Scattered				148		0	

Scattered				0		158	

Candidate IDNum	Candidate Name	Address	County	Primary Vote Count	Primary winner	General vote count	General Winner
-----49th Senatorial District							
-----Democratic							
2020C0492	SLOMSKI, JULIE L	5510 MILL ST	ERIE	19,423	Winner	46,907	
Scattered				46		0	
-----Republican							
2020C0803	LAUGHLIN, DANIEL J	4619 AUTUMNWOOD TRAIL	ERIE	18,273	Winner	69,818	
Scattered				144		0	

Scattered				0		194	

**[J-96-2020]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

SAYLOR, C.J., BAER, TODD, DONOHUE, DOUGHERTY, WECHT, MUNDY, JJ.

PENNSYLVANIA DEMOCRATIC PARTY,	:	No. 133 MM 2020
NILOFER NINA AHMAD, DANILO	:	
BURGOS, AUSTIN DAVIS, DWIGHT	:	
EVANS, ISABELLA FITZGERALD,	:	
EDWARD GAINEY, MANUEL M. GUZMAN,	:	
JR., JORDAN A. HARRIS, ARTHUR	:	SUBMITTED: September 8, 2020
HAYWOOD, MALCOLM KENYATTA,	:	
PATTY H. KIM, STEPHEN KINSEY, PETER	:	
SCHWEYER, SHARIF STREET, AND	:	
ANTHONY H. WILLIAMS	:	

v.

KATHY BOOCKVAR, IN HER CAPACITY	:	
AS SECRETARY OF THE	:	
COMMONWEALTH OF PENNSYLVANIA;	:	
ADAMS COUNTY BOARD OF ELECTIONS;	:	
ALLEGHENY COUNTY BOARD OF	:	
ELECTIONS; ARMSTRONG COUNTY	:	
BOARD OF ELECTIONS; BEAVER	:	
COUNTY BOARD OF ELECTIONS;	:	
BEDFORD COUNTY BOARD OF	:	
ELECTIONS; BERKS COUNTY BOARD OF	:	
ELECTIONS; BLAIR COUNTY BOARD OF	:	
ELECTIONS; BRADFORD COUNTY	:	
BOARD OF ELECTIONS; BUCKS COUNTY	:	
BOARD OF ELECTIONS; BUTLER	:	
COUNTY BOARD OF ELECTIONS;	:	
CAMBRIA COUNTY BOARD OF	:	
ELECTIONS; CAMERON COUNTY BOARD	:	
OF ELECTIONS; CARBON COUNTY	:	
BOARD OF ELECTIONS; CENTRE	:	
COUNTY BOARD OF ELECTIONS;	:	
CHESTER COUNTY BOARD OF	:	
ELECTIONS; CLARION COUNTY BOARD	:	
OF ELECTIONS; CLEARFIELD COUNTY	:	
BOARD OF ELECTIONS; CLINTON	:	

COUNTY BOARD OF ELECTIONS; :
 COLUMBIA COUNTY BOARD OF :
 ELECTIONS; CRAWFORD COUNTY :
 BOARD OF ELECTIONS; CUMBERLAND :
 COUNTY BOARD OF ELECTIONS; :
 DAUPHIN COUNTY BOARD OF :
 ELECTIONS; DELAWARE COUNTY :
 BOARD OF ELECTIONS; ELK COUNTY :
 BOARD OF ELECTIONS; ERIE COUNTY :
 BOARD OF ELECTIONS; FAYETTE :
 COUNTY BOARD OF ELECTIONS; :
 FOREST COUNTY BOARD OF :
 ELECTIONS; FRANKLIN COUNTY BOARD :
 OF ELECTIONS; FULTON COUNTY :
 BOARD OF ELECTIONS; GREENE :
 COUNTY BOARD OF ELECTIONS; :
 HUNTINGDON COUNTY BOARD OF :
 ELECTIONS; INDIANA COUNTY BOARD :
 OF ELECTIONS; JEFFERSON COUNTY :
 BOARD OF ELECTIONS; JUNIATA :
 COUNTY BOARD OF ELECTIONS; :
 LACKAWANNA COUNTY BOARD OF :
 ELECTIONS; LANCASTER COUNTY :
 BOARD OF ELECTIONS; LAWRENCE :
 COUNTY BOARD OF ELECTIONS; :
 LEBANON COUNTY BOARD OF :
 ELECTIONS; LEHIGH COUNTY BOARD :
 OF ELECTIONS; LUZERNE COUNTY :
 BOARD OF ELECTIONS; LYCOMING :
 COUNTY BOARD OF ELECTIONS; :
 MCKEAN COUNTY BOARD OF :
 ELECTIONS; MERCER COUNTY BOARD :
 OF ELECTIONS; MIFFLIN COUNTY :
 BOARD OF ELECTIONS; MONROE :
 COUNTY BOARD OF ELECTIONS; :
 MONTGOMERY COUNTY BOARD OF :
 ELECTIONS; MONTOUR COUNTY BOARD :
 OF ELECTIONS; NORTHAMPTON :
 COUNTY BOARD OF ELECTIONS; :
 NORTHUMBERLAND COUNTY BOARD :
 OF ELECTIONS; PERRY COUNTY BOARD :
 OF ELECTIONS; PHILADELPHIA COUNTY :
 BOARD OF ELECTIONS; PIKE COUNTY :
 BOARD OF ELECTIONS; POTTER :
 COUNTY BOARD OF ELECTIONS; :
 SCHUYLKILL COUNTY BOARD OF :

ELECTIONS; SNYDER COUNTY BOARD
OF ELECTIONS; SOMERSET COUNTY
BOARD OF ELECTIONS; SULLIVAN
COUNTY BOARD OF ELECTIONS;
SUSQUEHANNA COUNTY BOARD OF
ELECTIONS; TIOGA COUNTY BOARD OF
ELECTIONS; UNION COUNTY BOARD OF
ELECTIONS; VENANGO COUNTY BOARD
OF ELECTIONS; WARREN COUNTY
BOARD OF ELECTIONS; WASHINGTON
COUNTY BOARD OF ELECTIONS;
WAYNE COUNTY BOARD OF
ELECTIONS; WESTMORELAND COUNTY
BOARD OF ELECTIONS; WYOMING
COUNTY BOARD OF ELECTIONS; AND
YORK COUNTY BOARD OF ELECTIONS

PETITION OF: KATHY BOOCKVAR, IN
HER CAPACITY AS SECRETARY OF THE
COMMONWEALTH OF PENNSYLVANIA

OPINION

JUSTICE BAER

DECIDED: September 17, 2020

In October 2019, the General Assembly of the Commonwealth of Pennsylvania enacted Act 77 of 2019, which, *inter alia*, created for the first time in Pennsylvania the opportunity for all qualified electors to vote by mail, without requiring the electors to demonstrate their absence from the voting district on Election Day, 25 P.S. §§ 3150.11-3150.17. The Pennsylvania Democratic Party and several Democratic elected officials and congressional candidates, some in their official capacity and/or as private citizens (collectively, “Petitioner”), filed the instant action, initially in the Commonwealth Court, in the form of a petition for review seeking declaratory and injunctive relief relating primarily to five issues of statutory interpretation involving Act 77 and the Election Code, 25 P.S.

§§ 2600-3591.¹ This Court exercised Extraordinary Jurisdiction to address these issues and to clarify the law of this Commonwealth in time for the 2020 General Election.²

I. FACTS AND PROCEDURAL HISTORY

On July 10, 2020, Petitioner filed its petition for review in the Commonwealth Court against Secretary of the Commonwealth Kathy Boockvar (“Secretary”) and all 67 county election boards (“Boards”).³ In its petition, Petitioner requested that the Commonwealth Court issue declaratory and injunctive relief “so as to protect the franchise of absentee and mail-in voters.” Petition for Review (“Petition”), 7/10/2020, at 5.⁴

¹ The caption reflects the Secretary of the Commonwealth Kathy Boockvar as filing the petition before the Court based upon her application for extraordinary review, which this Court granted. Regardless, as noted, we now refer to the plaintiffs in the underlying lawsuit as “Petitioner” and, as noted *infra*, Secretary Boockvar as “Secretary.”

² Pursuant to 42 Pa.C.S. § 726, this Court

may, on its own motion or upon petition of any party, in any matter pending before any court or magisterial district judge of the Commonwealth involving an issue of immediate public importance, assume plenary jurisdiction of such matter at any stage thereof and enter a final order or otherwise cause right and justice to be done.

³ At the time Petitioner filed its petition, an action filed by Donald J. Trump for President, Inc., the Republican National Committee (“RNC”), and several Republican congressional candidates and electors (collectively, “Republican Party”) against the Secretary and the Boards was pending in the U.S. District Court for the Western District of Pennsylvania. In that case, the Republican Party alleged federal and state constitutional violations stemming from the recent implementation of no excuse mail-in voting under Act 77. The specific issues raised by the Republican Party in the federal action are, to some extent, the mirror image of the issues raised by Petitioner in the case *sub judice*.

⁴ Concurrently, Petitioner filed both an Application for Special Relief in the Nature of an Expedited Motion for Alternative Service and an Application for an Expedited Discovery Schedule and Evidentiary Hearing, to which several responses were filed. On July 15, 2020, the Commonwealth Court denied Petitioner’s request for alternative service. On July 30, 2020, the Commonwealth Court, *inter alia*, granted in part and denied in part Petitioner’s application for an expedited discovery schedule and evidentiary hearing. In this order, the Commonwealth Court set forth specific deadlines for responsive pleadings.

Specifically, Petitioner raised several discrete issues for the Commonwealth Court's consideration, which are discussed in more detail *infra*. Briefly, in Count 1, Petitioner requested declaratory relief to confirm that Act 77 permits Boards "to provide secure, easily accessible locations as the Board deems appropriate, including, where appropriate, mobile or temporary collection sites, and/or drop-boxes for the collection of mail-in ballots." *Id.* at 47, ¶ 165. Additionally, Petitioner sought an injunction requiring the Boards to "evaluate the particular facts and circumstances in their jurisdictions and develop a reasonable plan ... to ensure the expedient return of mail-in ballots." *Id.* at ¶ 166.

In Count 2, Petitioner sought an injunction to "lift the deadline in the Election Code across the state to allow any ballot postmarked by 8:00 p.m. on Election Night to be counted if it is received by the Boards" by 5:00 p.m. on Tuesday, November 10, which is the deadline for ballots to be received under the Federal Uniformed and Overseas Citizens Absentee Voting Act ("UOCAVA").⁵ *Id.* at 50, ¶ 178. In the alternative, Petitioner posited that the Commonwealth Court could, with a few caveats, "enjoin the Counties to extend a more tailored ballot extension deadline to the date that is 21 days after the particular voter's ballot is mailed by the county[.]" *Id.* at ¶ 179.

In Count 3, Petitioner highlighted that the "procedure for mail-in ballots often leads to minor errors, which result in many ballots being rejected and disenfranchising voters who believe they have exercised their right to vote." *Id.* at 51, ¶ 186. In anticipation of these expected errors, Petitioner again sought an injunction requiring Boards that have knowledge of an incomplete or incorrectly filled out ballot and the elector's contact

⁵ The UOCAVA delineates, *inter alia*, the process and procedure in which overseas voters and voters in the uniformed services receive absentee ballots for federal elections. See *generally* 52 U.S.C. §§ 20301-20311.

information to contact the elector and provide them “the opportunity to cure the facial defect until the UOCAVA deadline.” *Id.* at 52, ¶ 187.

In Count 4, Petitioner requested a declaration that there is no statutory authority to set aside an absentee or mail-in ballot solely for failure to place it into the official election ballot envelope (hereinafter referred to as the “secrecy envelope”), as well as an injunction prohibiting any “naked ballots,” which are otherwise without error, from being invalidated.⁶ *Id.* at 54, ¶ 198-199. A “naked ballot” refers to an official mail-in ballot that is not placed in the secrecy envelope before mailing.

Finally, in Count 5, Petitioner sought a declaration that the “Election Code’s poll watcher residency requirement does not violate the United States Constitution’s First and Fourteenth Amendments, its Equal Protection Clause, or the Equal Protection and Free and Equal Elections Clauses of the Pennsylvania Constitution.” *Id.* at 55, ¶ 207.

On August 13, 2020, the Secretary filed an Answer and New Matter to the petition. In addition, twenty of the named Boards filed answers with new matter, fourteen of the Boards filed answers, and nine of the Boards filed preliminary objections.⁷ Requests to intervene were filed by Donald J. Trump for President, Inc., the Republican Party of Pennsylvania, and the RNC, as well as Joseph B. Scarnati III, President Pro Tempore, and Jake Corman, Majority Leader of the Pennsylvania Senate, in opposition to the petition. The Common Cause Pennsylvania, The League of Women Voters of

⁶ As explained more fully below, upon receipt of an official mail-in ballot, the mail-in elector is to mark the ballot in secret, and then fold the ballot, enclose, and securely seal the same in the secrecy envelope provided. 25 P.S. § 3150.16(a). The secrecy envelope “shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of the elector’s county board of election and the local election district of the elector.” *Id.*

⁷ On August 27, 2020, Petitioner filed its: (1) Answer to the Secretary’s New Matter; (2) Answer to the new matter filed by various Boards; and (3) an omnibus memorandum of law opposing the preliminary objections filed by several Boards.

Pennsylvania, The Black Political Empowerment Project (“B-PEP”), Make the Road Pennsylvania, a project of Make the Road States (“Make the Road PA”), Patricia M. DeMarco, Danielle Graham Robinson, and Kathleen Wise filed a joint application to intervene as co-petitioners.

On August 16, 2020, the Secretary filed an application asking this Court to exercise extraordinary jurisdiction over Petitioner’s petition for review.⁸ Highlighting, *inter alia*, the two major political parties’ “diametric positions” on the interpretation of several Act 77 provisions and the fast-approaching 2020 General Election, the Secretary asserted that “[t]he exercise of extraordinary jurisdiction by this Court is the only means available to resolve these disputes without disrupting the election.” Secretary’s Application for Extraordinary Relief, 8/16/2020, at 14-16. On August 19, 2020, Petitioner filed an Answer to the Secretary’s application, noting that it had no objection to this Court exercising its extraordinary jurisdiction.⁹

⁸ In her application, the Secretary informed this Court that she had filed a motion in the aforementioned federal action urging the District Court to abstain from rendering a decision pursuant to *R.R. Comm’n of Tex. v. Pullman*, 312 U.S. 496 (1941) (explaining that, where appropriate, a federal court may abstain from deciding a case to permit a state court the opportunity to resolve a state law question). Secretary’s Application for Extraordinary Relief, 8/16/2020, at 17. This motion was later granted. See *Trump for President, Inc.*, 2020 WL 4920952, at *21 (W.D. Pa. 2020).

⁹ In addition, on August 18, 2020, Bucks, Chester, Montgomery, and Philadelphia County Boards of Election filed an Answer in Support of the Secretary’s application. Likewise, on August 19, 2020, Armstrong, Bedford, Blair, Centre, Columbia, Dauphin, Fayette, Huntingdon, Indiana, Lackawanna, Lawrence, Lebanon, Montour, Northumberland, Venango, and York County Boards of Election also filed an answer joining the Secretary’s application. Several of the remaining 67 counties filed no answer letters. On August 20, 2020, answers were filed by the Republican proposed intervenors, as well as proposed co-petitioners, The Common Cause Pennsylvania, The League of Women Voters of Pennsylvania, B-PEP, Make the Road PA, Patricia M. DeMarco, Danielle Graham Robinson, and Kathleen Wise.

Faced with a national election scheduled to occur on November 3, 2020 and substantial legal issues that required the highest court of Pennsylvania's analysis and response to ensure a free and fair election, on September 1, 2020, this Court granted the Secretary's Application and set forth a schedule for supplemental briefing and filings.¹⁰ Later, on September 3, 2020, this Court filed an order granting the motions to intervene filed by the Republican Party of Pennsylvania (hereinafter, "Respondent") and Joseph B. Scarnati III, Pennsylvania Senate President Pro Tempore, and Jake Corman, Senate Majority Leader, representing the Republican Senate Caucus (hereinafter, "Caucus"). Applications to intervene filed by Donald J. Trump for President, Inc., and the RNC; Common Cause of Pennsylvania, the League of Women Voters of Pennsylvania, B-PEP, Make the Road PA, Patricia M. DeMarco, Danielle Graham Robinson, and Kathleen Wise were denied without prejudice to the parties' ability to file briefs as *amicus curiae* pursuant to Pa.R.A.P. 531.¹¹ The parties have submitted supplemental filings in support of their

¹⁰ The Secretary highlighted in her application for extraordinary relief to this Court that there was insufficient time to engage in full pre-trial proceedings and discovery before applications for summary relief could be filed. See Secretary's Application for Extraordinary Relief, 8/16/2020, at 13-14. In fact, the Secretary explained that because of all the uncertainties surrounding the case, it was unclear "whether discovery, dispositive motions, and a hearing were even necessary." *Id.* at 14 n.3. She maintained that Petitioner's application to expedite discovery and a hearing in Commonwealth Court was premature. Thus, the Secretary sought extraordinary review of the discrete legal claims alleged in the lawsuit as if at the summary relief stage of the case. Cognizant of our authority when exercising extraordinary jurisdiction, this Court granted the Secretary's request. See Order dated 9/1/2020. Accordingly, because of the intense time pressure confronting this Court, we do not address the various procedural filings in the case and, rather, address only the five discrete legal claims before us. See 42 Pa.C.S. §726 (this Court may "assume plenary jurisdiction of [any matter pending before any court] at any stage thereof and enter a final order or otherwise cause right and justice to be done").

¹¹ After this Court granted the Secretary's application and set a schedule for supplemental filings, Bryan Cutler and Kerry Bennighoff, Speaker and Majority Leader of the Pennsylvania House of Representatives, respectively, filed an Application to Intervene, while State Senator Jay Costa, on behalf of the Senate Democratic Caucus filed an

respective positions, and this matter is now ripe for disposition of the discrete five legal issues before us.

II. RELEVANT OVERARCHING PRINCIPLES OF LAW

Generally speaking, each of the five issues presented by Petitioner presents a pure question of law, over which our standard of review is *de novo* and our scope of review is plenary. *In re Vencil*, 152 A.3d 235, 241 (Pa. 2017). Specifically, in large part, Petitioner requests relief in the form of declarations of law regarding Act 77 pursuant to the Declaratory Judgments Act, 42 Pa.C.S. §§ 7531-7541. Accordingly, we address the issues presented mindful of the following.

The Declaratory Judgments Act, which is to be liberally construed and administered, was promulgated to “settle and to afford relief from uncertainty and insecurity with respect to rights, status, and other legal relations[.]” 42 Pa.C.S. § 7541(a). Pertinent to the instant matter, this Act provides, in relevant part, that “[a]ny person . . . whose rights, status, or other legal relations are affected by a statute . . . may have determined any question of construction or validity arising under the . . . statute . . . and obtain a declaration of rights, status, or other legal relations thereunder.” 42 Pa.C.S. § 7533.¹²

Application to Intervene, which was later amended to include State Representative Frank Dermody, on behalf of the House Democratic Caucus. Because of the necessary expediency of reaching a decision in this case, and given that adequate advocacy has been provided, these applications, submitted close to this Court’s deadline for supplemental filings, are denied. In any case, the requests are moot given the issuance of our decision.

¹² Notably, while Petitioner has styled its requested relief as “injunctive” in reality it seeks declaratory relief. We will treat its prayers for relief accordingly. In this regard, as noted, essentially, we are treating the matter as if it is at the summary relief stage. *See Hosp. & Healthsystem Ass’n of Pa. v. Com.*, 77 A.3d 587, 602 (Pa. 2013) (“An application for summary relief may be granted if a party’s right to judgment is clear and no material issues of fact are in dispute.”) (citation omitted). *See also* Pa.R.A.P. 1532(b) (providing that “[a]t

When presented with matters of statutory construction, this Court is guided by Pennsylvania’s Statutory Construction Act, 1 Pa.C.S. § 1501-1991. Under this Act, “the object of all statutory construction is to ascertain and effectuate the General Assembly’s intention.” *Sternlicht v. Sternlicht*, 876 A.2d 904, 909 (Pa. 2005) (citing 1 Pa.C.S. § 1921(a) (“The object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly”)). When the words of a statute are clear and unambiguous, “the letter of it is not to be disregarded under the pretext of pursuing its spirit.” 1 Pa.C.S. § 1921(b); *see also Sternlicht, supra*. However, when the words of a statute are not explicit, the General Assembly’s intent is to be ascertained by consulting a comprehensive list of specific factors set forth in 1 Pa.C.S. § 1921(c). *See also Pennsylvania Associated Builders & Contractors, Inc. v. Commonwealth Dep’t of Gen. Servs.*, 932 A.2d 1271, 1278 (Pa. 2007) (recognizing that when the “words of the statute are not explicit, the General Assembly’s intent is to be ascertained by considering matters other than statutory language, like the occasion and necessity for the statute; the circumstances of its enactment; the object it seeks to attain; the mischief to be remedied; former laws; consequences of a particular interpretation; contemporaneous legislative history; and legislative and administrative interpretations”).

Moreover, we recognize that in this Commonwealth, “[e]lections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.” PA. CONST. art. I, § 5 (hereinafter referred to as the “Free and Equal Elections Clause”). The broad text of this specific provision “mandates clearly and unambiguously, and in the broadest possible terms, that *all* elections conducted in this Commonwealth must be ‘free and equal.’” *League of Women Voters v. Commonwealth*, 178 A.3d 737, 804 (Pa. 2018) (emphasis in original). Stated another way, this clause was

any time after the filing of a petition for review in an appellate or original jurisdiction matter, the court may on application enter judgment if the right of the applicant thereto is clear.”).

“specifically intended to equalize the power of voters in our Commonwealth’s election process[.]” *Id.* at 812.

Finally, this Court has previously observed that the purpose and objective of the Election Code, which contains Act 77, is “[t]o obtain freedom of choice, a fair election and an honest election return[.]” *Perles v. Hoffman*, 213 A.2d 781, 783 (Pa. 1965). To that end, the Election Code should be liberally construed so as not to deprive, *inter alia*, electors of their right to elect a candidate of their choice. *Id.* at 784. With these general principles in mind, this Court will address in turn each of the five discrete issues presented by Petitioner.

III. ISSUES

A. COUNT I OF THE PETITION FOR REVIEW

Section 3150.16(a) of the Election Code, 25 P.S. § 3150.16(a), is part of Act 77 and pertinent to several issues in this matter. That statutory provision, which is entitled “Voting by mail-in electors,” states as follows:

(a) General rule.--At any time after receiving an official mail-in ballot, but on or before eight o’clock P.M. the day of the primary or election, the mail-in elector shall, in secret, proceed to mark the ballot only in black lead pencil, indelible pencil or blue, black or blue-black ink, in fountain pen or ball point pen, and then fold the ballot, enclose and securely seal the same in the envelope on which is printed, stamped or endorsed “Official Election Ballot.” This envelope shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of the elector’s county board of election and the local election district of the elector. The elector shall then fill out, date and sign the declaration printed on such envelope. Such envelope shall then be securely sealed and the elector shall send same by mail, postage prepaid, except where franked, or deliver it in person to said county board of election.

25 P.S. § 3150.16(a). The last sentence of this provision is the primary focus of the first question of law that we will address. The plain language of this sentence allows an elector to mail her securely sealed envelope containing the elector’s “Official Election Ballot” to

her “county board of election” or, more relevant to this issue, “deliver it in person to said county board of election.” *Id.*

In Count I of its petition for review, Petitioner seeks a declaration that a reasonable interpretation of Section 3150.16(a) of the Election Code permits county boards of election to provide electors with as many secure and easily accessible locations to deliver personally their mail-in ballots as each board deems appropriate.¹³ Petitioner suggests that these locations can consist of mobile or temporary collection sites and that county boards of election may utilize secure drop-boxes for the collection of hand-delivered mail-in ballots.

Indeed, Petitioner contends that, by enacting Section 3150.16(a) of the Election Code, the General Assembly clearly and unambiguously intended to provide the various county boards of election with the option of accepting hand-delivered mail-in ballots at any location controlled by the boards, not just at the boards’ central offices. In support of this position, Petitioner points out, *inter alia*, that pursuant to Section 3151 of the Election Code, the General Assembly empowered each county board of election to receive “ballot

¹³ Under Count I, Petitioner also sought relief “in the form of an affirmative injunction requiring that county Boards are required to evaluate the particular facts and circumstances in their jurisdictions and develop a reasonable plan reflecting the needs of the citizens of the county to ensure the expedient return of mail-in ballots.” Petition at 47, ¶ 166. Petitioner accurately concedes that it must establish a clear right to this relief. *Id.* at ¶ 167; see *Roberts v. Bd. of Directors of Sch. Dist. of City of Scranton*, 341 A.2d 475, 478 (Pa. 1975) (explaining that, “for a mandatory injunction to issue, it is essential that a clear right to relief in the plaintiff be established”). To the extent that Petitioner continues to seek injunctive relief in this form, we summarily decline the request, as there simply is no legal authority that would allow this Court to mandate that the county boards of election “evaluate the particular facts and circumstances in their jurisdictions and develop a reasonable plan reflecting the needs of the citizens of the county to ensure the expedient return of mail-in ballots.” In other words, Petitioner cannot establish a clear right to relief with regard to their request for a mandatory injunction.

boxes and returns” in their offices or “in any such other place as has been designated by the board.”¹⁴ 25 P.S. § 3151.

The Secretary builds on Petitioner’s argument. In so doing, the Secretary highlights that, in construing Section 3150.16(a) of the Election Code, the Court should consider that the General Assembly defined “county board” or “board” as meaning “the county board of elections of any county herein provided for.” 25 P.S. § 2602. According to the Secretary, this definition clarifies that, for purposes of Section 3150.16(a), “county board of election” refers to a municipal body, not a physical office or address. In other words, the Secretary believes that, when this definition is used for purposes of Section 3150.16(a), that Section unambiguously permits voters to deliver mail-in ballots in person to places designated by county boards of election, other than their respective office addresses.

In further support of this position, the Secretary asserts that the Election Code contemplates that county boards of election will operate out of multiple locations. See 25 P.S. § 2645(b) (stating, *inter alia*, that the “county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat, property furnished for keeping its records, holding its public sessions and otherwise performing its public duties, and shall also provide, such branch offices for the board in cities other than the county seat, as may be necessary”). Echoing Petitioner’s argument, the Secretary further suggests that the Election Code anticipates that “ballot

¹⁴ Section 3151 of the Election Code states, in full, as follows:

Each county board of elections shall cause its office to remain open, in charge of one or more members of the board, during the entire duration of each primary and election, and after the close of the polls, until all the ballot boxes and returns have been received in the office of the county elections board, or received in such other place as has been designated by the board.

25 P.S. § 3151.

boxes and returns” may be received “in the office of the county elections board, or received in such other places as has been designated by the board.” 25 P.S. § 3151.

The Secretary insists that the Election Code is devoid of any language limiting county boards of election from accepting delivery of mail-in votes solely at their primary office addresses. In fact, the Secretary takes the position that to hold otherwise would contravene the plain language of the Election Code. However, assuming *arguendo* that this Court deems the Election Code ambiguous on this point, the Secretary advocates that a reasonable interpretation of the Code nonetheless authorizes county boards of election to utilize multiple drop-off sites to accept hand-delivered mail-in ballots.

In this regard, the Secretary focuses on the statutory considerations to which this Court may refer when construing an ambiguous statute, 1 Pa.C.S. § 1921(c), as described *supra*. More specifically, the Secretary posits that the General Assembly enacted Act 77 with the object of increasing the electorate’s participation in the electoral process by making it easier and more convenient to vote, providing all electors with the option to mail in their ballots. The Secretary opines that, consistent with this objective, the General Assembly intended to allow county boards of election to accept hand-delivered mail-in ballots at locations besides the boards’ central office addresses. The Secretary takes the position that, if this Court deems reasonable the various parties’ competing interpretations of the Election Code, then the Court should construe the Code in favor of the right to vote.

Contrary to the contentions of the Secretary and Petitioner, Respondent submits that the Election Code prohibits county boards of election from designating locations other than their established county offices for hand delivery of mail-in ballots. Rather, according to Respondent, Section 3150.16(a) of the Election Code unambiguously mandates that an elector must either mail her mail-in ballot to the office address of the county board of

election or deliver that ballot in person to the same office address. Stated differently, Respondent takes the position that the Election Code requires electors either to place their mail-in ballots, addressed to their county boards of election, into the United States Postal Service's ["USPS"] system or personally to deliver their mail-in ballot to that office.

In further support of this position, Respondent highlights the Election Code's use of the word "office" in the "deadline" provision for mail-in votes, Section 3150.16(c), which states that "a completed mail-in ballot must be received in the office of the county board of elections no later than eight o'clock P.M. on the day of the primary or election." 25 P.S. § 3150.16(c). Respondent also points out that the Election Code requires that a secure envelope containing a mail-in ballot have printed upon it "the address of the elector's county board of election," so that "the elector shall send same by mail, postage prepaid, except where franked, or deliver it in person to said county board of election." 25 P.S. § 3150.16(a). Thus, Respondent believes that, in sum, these statutory directives clearly indicate that the General Assembly intended that electors either mail or personally deliver mail-in ballots to the established office addresses of the county boards of election.

Next, Respondent reminds us that the Secretary and Petitioner are asking this Court to interpret the Election Code to allow voters to deliver their mail-in ballots to locations that will include unmanned drop-boxes. Respondent contends that Petitioner and the Secretary fail to articulate where the Election Code mentions "drop-boxes" or "satellite locations." Respondent then asserts that, if this Court were to interpret the Election Code as Petitioner and the Secretary propose, the Court would invalidate an alleged requirement of Act 77, *i.e.*, the need to deliver mail-in ballots to the established offices of county boards of election.

In addition, Respondent suggests that the preferred interpretation of the Election Code advocated by the Secretary and Petitioner permits the individual counties to

implement differing ballot-return regimes. Respondent avers that this outcome would violate principles of equal protection. In support, Respondent quotes *Pierce v. Allegheny County Bd. of Elections*, 324 F.Supp.2d 684, 697 (W.D. Pa. 2003), for the proposition that “[a] state must impose uniform statewide standards in each county in order to protect the legality of a citizen’s vote. Anything less implicates constitutional problems under the equal protection clause of the Fourteenth Amendment.” For these reasons, Respondent contends that the interpretation of the Election Code posited by Petitioner and the Secretary must fail.

The primary argument of the Caucus largely tracks that of Respondent, particularly the contention that the relief proposed by Petitioner and the Secretary would create an equal protection problem. According to the Caucus, pursuant to the solution offered by Petitioner and the Secretary, some counties will provide more locations for voters to deliver their mail-in ballots, while other counties will allow voters to convey their mail-in ballots solely to the office addresses of the county boards of election. The Caucus views this possibility as a violation of equal protection.

Notably, in an apparent break from Respondent’s position, subject to its equal protection argument, the Caucus seems to concede that Pennsylvania law allows county boards of election to provide for in person delivery of mail-in ballots at more than one county election board office located within the county’s borders. However, the Caucus insists that additional offices must comply with various requirements, including those outlined in Section 2645(b) of the Election Code. See 25 P.S. § 2645(b) (explaining that “[t]he county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat, property furnished for keeping its records, holding its public sessions and otherwise performing its public duties, and shall also provide, such branch offices for the board in cities other than the

county seat, as may be necessary”). In closing, the Caucus submits that unstaffed drop-boxes would not constitute a branch office of a county board of election and are otherwise not authorized by the Election Code as a method for collecting hand-delivered mail-in ballots.

Turning to our analysis, we observe that the question before us consists of the following two-part query regarding the Election Code: Does the Election Code allow a Pennsylvania voter to deliver her mail-in ballot in person to a location other than the established office address of her county’s board of election, and if so, what means can county boards of election utilize to accept hand-delivered mail-in ballots? For the reasons that follow, we find that the parties’ competing interpretations of the Election Code on this issue are reasonable, rendering the Code ambiguous as it relates to this query. See *A.S. v. Pennsylvania State Police*, 143 A.3d 896, 905-06 (Pa. 2016) (explaining that a “statute is ambiguous when there are at least two reasonable interpretations of the text”).

In reaching this conclusion, we observe that Section 3150.16(a) of the Election Code explicitly allows an elector to deliver in person her securely sealed envelope containing her mail-in ballot “to said county board of election.” 25 P.S. § 3150.16(a). The Election Code simply defines “county board” or “board” to mean “the county board of elections of any county herein provided for.” 25 P.S. § 2602(c). Thus, the language used by the Legislature regarding where a mail-in ballot may be delivered in person is not solely limited to the official central office of the county board of election, and other sections of the Election Code permit a board of election to operate outside of its principal office. See, e.g., 25 P.S. § 2645(b) (stating, *inter alia*, that the “county commissioners or other appropriating authorities of the county shall provide the county board with suitable and adequate offices at the county seat, property furnished for keeping its records, holding its public sessions and otherwise performing its public duties, and shall also provide, such

branch offices for the board in cities other than the county seat, as may be necessary”). Therefore, on the one hand, these provisions tend to favor the view of Petitioner and the Secretary that the General Assembly did not intend to limit voters to delivering personally their mail-in ballots solely to the established office addresses of their county boards of election. Rather, as these parties rationally contend, when this definition is utilized for purposes of construing Section 3150.16(a), that exercise suggests that a voter can hand deliver her mail-in ballot to any location designated by the county board of election as a place where the board will accept these ballots.

Alternatively, we recognize that Section 3150.16(a) of the Election Code directs that an elector may deliver her mail-in ballot in person only to “the county board of election.” 25 P.S. § 3150.16(a). As Respondent in particular understandably emphasizes, neither this statutory language nor any other provision of the Election Code explicitly empowers a county board of election to establish satellite mail-in ballot collection facilities or to utilize secure drop-boxes for purposes of accepting hand-delivered mail-in ballots. These observations, when viewed in the totality of the various arguments, lead us to conclude that the parties’ competing interpretations are reasonable.

Accordingly, we turn to interpretive principles that govern ambiguous statutes generally and election matters specifically. In so doing, we are mindful of the “longstanding and overriding policy in this Commonwealth to protect the elective franchise.” *Shambach v. Bickhart*, 845 A.2d 793, 798 (Pa. 2004) (citations omitted). Moreover, it is well-settled that, “although election laws must be strictly construed to prevent fraud, they ordinarily will be construed liberally in favor of the right to vote.” *Id.* (internal quotation marks omitted). Indeed, “[o]ur goal must be to enfranchise and not to disenfranchise [the electorate].” *In re Luzerne Cty. Return Bd.*, 290 A.2d 108, 109 (Pa. 1972). Lastly, in resolving statutory ambiguity, we may consider, *inter alia*, the occasion

and necessity for, the mischief to be remedied by, and the object to be obtained by the statute. 1 Pa.C.S. § 1921(c)(1), (3), and (4), respectively.

With all of that said, we need not belabor our ultimate conclusion that the Election Code should be interpreted to allow county boards of election to accept hand-delivered mail-in ballots at locations other than their office addresses including drop-boxes. This conclusion is largely the result of the clear legislative intent underlying Act 77, which animates much of this case, to provide electors with options to vote outside of traditional polling places. Section 3150.16(a) of the Election Code undeniably exemplifies this intent by granting the Pennsylvania electorate the right to vote by way of a mail-in ballot beyond the circumstances that ordinarily allow this alternative, such as voter absenteeism.

Accordingly, although both Respondent and the Caucus offer a reasonable interpretation of Section 3150.16(a) as it operates within the Election Code, their interpretation restricts voters' rights, as opposed to the reasonable interpretation tendered by Petitioner and the Secretary. The law, therefore, militates in favor of this Court construing the Election Code in a manner consistent with the view of Petitioner and the Secretary, as this construction of the Code favors the fundamental right to vote and enfranchises, rather than disenfranchises, the electorate.

In light of this conclusion, we will briefly address the equal protection argument of Respondent and the Caucus. The premise of that argument, as detailed *supra*, is that, if this Court interprets the Election Code in a manner that is consistent with the position of Petitioner and the Secretary, which we have, then the county boards of election will employ myriad systems to accept hand-delivered mail-in ballots, which allegedly will be unconstitutionally disparate from one another in so much as some systems will offer more legal protections to voters than others will provide. However, the exact manner in which each county board of election will accept these votes is entirely unknown at this point;

thus, we have no metric by which to measure whether any one system offers more legal protection than another, making an equal protection analysis impossible at this time. Accordingly, the equal protection argument of Respondent and the Caucus does not alter our conclusion in this matter.

Thus, for these reasons, this Court declares that the Election Code permits county boards of election to accept hand-delivered mail-in ballots at locations other than their office addresses including drop-boxes.¹⁵

B. COUNT II OF THE PETITION FOR REVIEW

In its second count, Petitioner presents this Court with an as-applied challenge to the Election Code's deadline for receiving ballots ("received-by deadline"), which requires mail-in and absentee ballots to be returned to Boards no later than 8:00 p.m. on Election Day, 25 P.S. §§ 3146.6(c), 3150.16(c). It contends that strict enforcement of this deadline, in light of the current COVID-19 pandemic and alleged delays in mail delivery by the USPS, will result in extensive voter disenfranchisement in violation of the Pennsylvania Constitution's Free and Equal Elections Clause.

As noted above, the Free and Equal Elections Clause provides that "[e]lections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right to suffrage." PA. CONST. art. I, § 5. Petitioner interprets this provision as forbidding the Boards from interfering with the right to vote by failing to act in

¹⁵ We note that the Secretary has issued guidelines in this regard specifying that the Boards "may provide voters with access to a secure ballot return receptacle." See Secretary's Post-Submission Communication dated 8/24/2020, setting forth the Secretary's Absentee and Mail-in Ballot Return Guidance at 1.1. Additionally, and consistent with the requirement that all votes must be cast by Election Day, these guidelines specify that: "Authorized personnel should be present at ballot return sites immediately prior to 8:00 p.m. or at the time the polls should otherwise be closed"; "At 8:00 p.m. on election night, or later if the polling place hours have been extended, all ballot sites, and drop-boxes must be closed and locked"; and "Staff must ensure that no ballots are returned to ballot return sites after the close of the polls." *Id.* at 3.3.

a timely manner so as to allow electors to participate in the election through mail-in voting. Petition at 49, ¶ 176.

In support of its as-applied challenge in regard to the upcoming General Election, Petitioner recounts this Commonwealth's recent experience during the June Primary. It emphasizes that, during the Primary, the Boards were inundated with over 1.8 million requests for mail-in ballots, rather than the expected 80,000 - 100,000, due in large part to the COVID-19 pandemic, which caused many voters to be wary of congregating in polling places. Petitioner's Brief at 2, 51. Petitioner asserts that "[t]his crush of applications created massive disparities in the distribution and return of mail-in ballots." Petition at 24, ¶ 70.

It explains that, while some Boards were able to process the requests within the statutory requirements established by Act 77,¹⁶ other boards, especially those in areas hard-hit by the pandemic, were unable to provide electors with ballots in time for the electors to return their ballot in accord with the statutory deadline. Petition at 23, ¶ 66. Indeed, it avers that in Delaware County, thousands of ballots were "not mailed out until the night" of the Primary, making timely return impossible. Petition at 26, ¶ 77. Bucks County apparently experienced similar delays.

To remedy this situation, the Election Boards of Bucks and Delaware Counties sought relief in their county courts.¹⁷ Recognizing that the Election Code "implicitly

¹⁶ Act 77, *inter alia*, requires Boards to verify an applicant's submitted information to determine whether the applicant is "qualified to receive an official mail-in ballot." 25 P.S. § 3150.12b(a). After approving an application, the Election Code, as amended by Act 77, instructs that "the board shall deliver or mail official mail-in ballots to the additional electors within 48 hours." 25 P.S. § 3150.15.

¹⁷ The Election Code grants courts of common pleas the authority to address situations which arise on the day of a primary or general election, 25 P.S. § 3046. Section 3046 entitled "Duties of common pleas court on days of primaries and elections," provides:

granted [the courts the] authority to provide relief when there is a natural disaster or emergency” that threatens to deprive electors of the opportunity to participate in the electoral process, the Courts of Common Pleas of Bucks and Delaware Counties extended the deadline for the return of mail-in ballots for seven days, so long as the ballot was postmarked by the date of the Primary. *In re: Extension of Time for Absentee and Mail-In Ballots to be Received By Mail and Counted in the 2020 Primary Election*, No. 2020-02322-37 (C.P. Bucks) (McMaster, J.); see also *In re: Extension of Time for Absentee and Mail-In Ballots to be Received By Mail and Counted in the 2020 Primary Election*, No.-CV 2020-003416 (C.P. Delaware).

Petitioner also observes that voters in six counties received an extension to the return deadline pursuant to an executive order issued by Governor Wolf, invoking the Emergency Management Services Code, 35 Pa.C.S. § 7301(c).¹⁸ In Executive Order No. 2020-02, Governor Wolf addressed impediments to timely ballot return arising from the pandemic as well as civil unrest that had arisen immediately before the Primary in the specified counties following the killing of George Floyd by police officers. The impediments included road closures, public transportation disruptions, and curfews. To combat the potential disenfranchisement of voters, especially in light of the “unprecedented number” of mail-in ballots due to the pandemic, the Governor extended

During such period said court shall act as a committing magistrate for any violation of the election laws; shall settle summarily controversies that may arise with respect to the conduct of the election; shall issue process, if necessary, to enforce and secure compliance with the election laws; and shall decide such other matters pertaining to the election as may be necessary to carry out the intent of this act.

25 P.S. § 3046.

¹⁸ The affected counties were Allegheny, Dauphin, Delaware, Erie, Montgomery, and Philadelphia.

the received-by deadline for seven days, so long as the ballots were postmarked by the date of the Primary. Governor Wolf, Executive Order No. 2020-02 (June 1, 2020).

While voters in specified counties benefitted from extensions of time to return their ballots, Petitioner emphasizes that the Commonwealth Court rejected a request for a statewide extension of the ballot received-by deadline in *Delisle v. Boockvar*, 319 M.D. 2020 (Pa. Cmwlth. June 2, 2020) (Memorandum Opinion), favoring instead a county-by-county remedy. Indeed, while not mentioned by Petitioner, this Court additionally denied relief to a petitioner seeking a statewide extension of the ballot received-by deadline weeks before the June Primary, where the petitioner similarly argued for the extension based upon the overwhelming number of mail-in ballot applications and delays in the USPS system. *Disability Rights Pa. v. Boockvar*, No. 83 MM 2020, 2020 WL 2820467 (Pa. May 15, 2020).

In light of the lessons learned from the June Primary, Petitioner asserts that a statewide remedy is now necessary for the General Election. It suggests that the lack of a statewide remedy risks an equal protection challenge as only some voters would benefit from the extended deadline based on their county court's determination. Petition at 32-33, ¶ 105. Moreover, it emphasizes that a statewide order from this Court early in the election process would reduce voter confusion, as compared to the last-minute county-by-county relief granted during the Primary to address emergency situations. Petitioner's Brief at 26-27 n.9.

Petitioner avers that the difficulties encountered by Boards processing the ballot applications prior to the June Primary will only be exacerbated in the November General Election. It emphasizes the continued grip of the pandemic, and a potential second wave of infections, which will result in more electors seeking to exercise their right to vote by mail. Petition at 49, ¶ 173-175. Additionally, it recognizes the undisputed fact that heavily

contested Presidential elections involve substantially greater voter participation than largely uncontested primaries, further observing that “[i]t is normal in elections with significant public attention for there to be a flood of registrations received right before deadlines.” Petition at 26, ¶ 79. It highlights that the Secretary estimates that 3 million electors will seek mail-in or absentee ballots for the General Election in contrast to the 1.5 million votes cast by mail at the Primary, and the pre-pandemic assumption of 80,000 - 100,000 absentee and mail-in ballots. Petitioner’s Brief at 51.

Petitioner asserts that the overwhelming demand on the Boards will be exacerbated by delays in the USPS mail delivery system. Petitioner observes that historically the law presumed that a document placed in a mail collection box would be delivered within three days of placement, rather than the current two to five day delivery expectation of the USPS. *Id.* at 50. Petitioner avers that substantial delivery delays have resulted from a combination of recent operational changes at the USPS and decreased staffing caused by the pandemic. *Id.* at 20-21. It emphasizes that the USPS recently warned that there is a “significant risk” that Pennsylvania voters who submit timely ballot requests will not have sufficient time to complete and return their ballot to meet the Election Code’s received-by deadline. *Id.* at 2-3 (quoting USPS General Counsel and Executive Vice President Thomas Marshall’s July 29, 2020 letter to the Secretary (hereinafter “USPS General Counsel’s Letter”), discussed in detail *infra*).

Petitioner avers that this Court has the authority to act to protect electors’ right to cast their ballot, as protected by Pennsylvania’s Free and Equal Elections Clause. It emphasizes that “[c]ourt[s] possess broad authority to craft meaningful remedies’ when ‘regulations of law . . . impair the right of suffrage.’” *Id.* at 48-49 (quoting *League of Women Voters of Pa.*, 178 A.3d at 809, 822) (alterations in original). It observes that courts have exercised that authority to provide equitable relief to voters faced with natural

disasters that impede their right to vote. As an example, Petitioner highlights the Commonwealth Court's actions in *In re General Election-1985*, 531 A.2d 836, 838-39 (Pa. Cmwlth. 1987), in which the court affirmed a two-week suspension in an election where severe flooding prevented electors from safely voting due to "circumstances beyond their control." Petitioner asserts that Pennsylvania electors in the November General Election similarly face a threat to their ability to vote due to no fault of their own, but instead due to a perfect storm combining the dramatic increase in requested ballots due to the COVID-19 pandemic and the inability of the USPS to meet the delivery standards required by the Election Code.

Accordingly, Petitioner asks this Court to grant an injunction ordering the Respondent to "lift the deadline in the Election Code across the state in a uniform standard to allow any ballot postmarked by 8 p.m. on Election Night to be counted if it is received by the deadline for ballots to be received" under the UOCAVA, specifically by 5:00 p.m. on Tuesday, November 10.¹⁹ Petition at 50, ¶ 178. Recognizing that the Secretary recommends a three-day extension, as detailed below, Petitioner counters that "[a] 7-day extension to the ballot receipt deadline is consistent with the USPS's recommendation to the Secretary that voters should mail their ballots to Boards no later than October 27, 2020," which is seven days prior to Election Day. Petitioner's Brief at 53 (referencing USPS General Counsel's Letter at 2). While it acknowledges that a seven-day extension could impact other post-election deadlines as discussed *infra*, it

¹⁹ As adopted in Pennsylvania, the UOCAVA provides that military and overseas ballots will be counted if received by the county board by "5:00 p.m. on the seventh day following the election," which this year will be November 10, 2020. 25 Pa.C.S. § 3511.

As an alternative remedy, Petitioner proposes that each ballot could have an individualized deadline twenty-one days after the specific ballot is mailed by the county, so long as it is received before the UOCAVA deadline. Petition at 50, ¶ 108, 179.

asserts that this Court has the authority to alter those deadlines to be consistent with the relief granted in this case. *Id.* at 55.

As noted, the Secretary sought extraordinary jurisdiction to allow this Court to resolve the various challenges to the mail-in ballot process in an orderly and timely fashion before the impending General Election, where she estimates more than three million Pennsylvanians will exercise their right to vote by mail. Secretary's Brief at 1. The Secretary observes that she previously advocated against a similar request for an extension of the received-by deadline for mail-in and absentee ballots in the *Crossey* case. She, however, reassessed her position following receipt of the USPS General Counsel's Letter, which she attaches to her Application. Secretary's Application at 10, Exhibit A.

Significantly, the USPS General Counsel's Letter opined that "certain deadlines for requesting and casting mail-in ballots are incongruous with the Postal Service's delivery standards," providing for 2-5 day delivery for domestic First Class Mail and 3-10 day delivery for domestic Marketing Mail. USPS General Counsel's Letter at 1. As the parties recognize, the Election Code designates October 27, 2020, as the last day for electors to request a mail-in ballot. 25 P.S. § 3150.12a(a) ("Applications for mail-in ballots shall be processed if received not later than five o'clock P.M. of the first Tuesday prior to the day of any primary or election."). Even if a county board were to process and mail a ballot the next day by First Class Mail on Wednesday, October 28th, according to the delivery standards of the USPS, the voter might not receive the ballot until five days later on Monday, November 2nd, resulting in the impossibility of returning the ballot by mail before Election Day, Tuesday November 3rd. The USPS General Counsel's Letter, instead, advised that voters should mail their ballots no later than October 27, 2020 in order to meet the received-by deadline. USPS General Counsel's Letter at 2. "This mismatch

[between the USPS's delivery standards and the Election Code deadlines] creates a risk that ballots requested near the deadline under state law will not be returned by mail in time to be counted under [Pennsylvania's Election Code]." *Id.* at 1.

In light of the information contained in the USPS General Counsel's Letter, the Secretary concludes that a temporary extension of the Election Code's received-by deadline is necessary for the upcoming General Election to ensure a free and equal election as protected by Article I, Section 5 of the Pennsylvania Constitution. Secretary's Application at 27. The Secretary specifically asks that this Court order an extension of the deadline to allow the counting of any ballot postmarked by Election Day and received on or before the third day after Election Day, which is November 6, 2020.²⁰ *Id.* at 27-28. The Secretary deems a three-day extension of the deadline, rather than the seven-day extension sought by Petitioner, to be sufficient to address the potential delay in mailing while also not disrupting other elements of election administration. *Id.* at 29.

The Secretary emphasizes that the remedy sought here is not the invalidation of the Election Code's received-by deadline, but rather the grant of equitable relief to extend temporarily the deadline to address "mail-delivery delays during an on-going public health disaster." Secretary's Brief at 18. As no party is seeking the invalidation of the received-by deadline, the Secretary rejects the suggestion of Respondent and the Caucus that the remedy would trigger the nonseverability provision of Act 77, reasoning that the Court would be granting "a temporary short extension to address the exigencies of a natural

²⁰ She specifically recommends that the Court "order that ballots mailed by voters by 8:00 p.m. on Election Day be counted if they are otherwise valid and received by the county boards of election by November 6, 2020. Ballots received within this period that lack a postmark or other proof of mailing, or for which the postmark or other proof of mailing is illegible, should enjoy a presumption that they were mailed by Election Day." Secretary's Application at 29. We observe that this proposal therefore requires that all votes be cast by Election Day but does not disenfranchise a voter based upon the absence or illegibility of a USPS postmark that is beyond the control of the voter once she places her ballot in the USPS delivery system.

disaster” rather than “the invalidation of a statutory deadline.” *Id.* at 21 (referencing Section 11 of Act 77 set forth *infra*). She emphasizes that the statutory deadline would remain unchanged for future elections.

The Secretary observes that courts have previously granted temporary equitable relief to address natural disasters, given that neither the Election Code nor the Constitution “provides any procedure to follow when a natural disaster creates an emergency situation that interferes with an election.” *Id.* at 19 (citing *In re: General Election-1985*, 531 A.2d at 839).²¹ She argues that the current pandemic is equivalent to other natural disasters and that it necessitates the requested extension of the Election Code’s received-by deadline for mail-in ballots.

In contrast, Respondent contends that Petitioner asks this Court to rewrite the plain language of Act 77 and to substitute its preferred ballot deadline for the statutory deadline that resulted from the legislative compromise during the bi-partisan enactment of Act 77. It emphasizes that this Court “recently reaffirmed [that] the judiciary ‘may not usurp the province of the legislature by rewriting [statutes].’” Respondent’s Supplemental Brief at 16 (quoting *In re Fortieth Statewide Investigating Grand Jury*, 197 A.3d 712, 721 (Pa. 2018)).

Judicial restraint, according to Respondent, is especially necessary in regard to election law, where this Court has long recognized that “[t]he power to regulate elections is a legislative one, and has been exercised by the General Assembly since the foundation of the government.” *Id.* at 17 (quoting *Winston v. Moore*, 91 A. 520, 522 (Pa. 1914)). Indeed, it observes that the United States Constitution dictates that “[t]he Times,

²¹ The Secretary observes that other jurisdictions have likewise granted temporary extensions when faced with natural disasters, such as hurricanes. Secretary’s Application at 28 (citing *Fla. Democratic Party v. Scott*, 215 F. Supp. 3d 1250, 1259 (N.D. Fla. 2016); *Georgia Coalition for the Peoples’ Agenda, Inc. v. Deal*, 214 F. Supp. 3d 1344, 1345 (S.D. Ga. 2016)).

Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each state by the Legislature thereof,” subject to directives of Congress, U.S. CONST. art. I, § 4, cl. 1, and that “[e]ach State shall appoint, in such Manner as the Legislature thereof may direct,” electors for President and Vice President. U.S. CONST. art. II, § 1, cl. 2.²² Respondent highlights special concerns relevant to Presidential elections, emphasizing that “[w]ith respect to a Presidential election,’ state courts must ‘be mindful of the legislature’s role under Article II in choosing the manner of appointing electors.’” Respondent’s Supplemental Brief at 20 (quoting *Bush v. Gore*, 531 U.S. 98, 114 (2000) (Rehnquist, C.J., concurring)).

Respondent additionally warns that if this Court were to deem application of the deadline unconstitutional and substitute a judicially-determined deadline, it would trigger the nonseverability provision of Act 77, which would invalidate the entirety of the Act, including all provisions creating universal mail-in voting. Specifically, Section 11 provides: “Sections 1, 2, 3, 3.2, 4, 5, 5.1, 6, 7, 8, 9 and 12 of this act are nonseverable. If any provision of this act or its application to any person or circumstances is held invalid, the remaining provisions or applications of this act are void.” Act 77, § 11. It emphasizes that this Court has previously deemed nonseverability provisions to be constitutionally proper and additionally recognized that nonseverability provisions are crucial to the legislative process as they “may be essential to securing the support necessary to enact the legislation in the first place.” Respondent’s Supplemental Brief at 18 (citing *Stilp v. Commonwealth*, 905 A.2d 918, 978 (Pa. 2006)). Respondent asserts that it is clear that the severability provision in Act 77 “was intended to preserve the compromise struck” in the bipartisan enactment. *Id.* at 19.

²² Respondent further observes that the Pennsylvania Constitution specifically directs the Legislature to “provide a manner in which, and the time and place at which” a qualified elector can submit an absentee ballot. PA. CONST. art. VII, § 14(a).

On the merits, Respondent asserts that the plain language of the Election Code setting the deadline for submission of ballots by 8:00 p.m. on Election Day does not violate the Free and Equal Elections Clause but instead provides “a neutral, evenhanded rule that applies to all Pennsylvania voters equally.” Respondent’s Answer to the Secretary’s Application at 21. It emphasizes that numerous courts, including this Court during the June Primary, have upheld the application of mail-in deadlines during the COVID-19 pandemic. Respondent’s Supplemental Brief at 24 (citing, *inter alia*, *Disability Rights Pa. v. Boockvar*, No. 83 MM 2020, 2020 WL 2820467 (Pa. May 15, 2020)).

Respondent additionally rejects the Secretary’s assertion that the deadline should be extended based upon the threat of mail delays. It avers that these concerns are “speculative at best.” *Id.* at 25. Moreover, it contends that “given Pennsylvania’s unparalleled and generous absentee and mail-in voting period, any voter’s inability to cast a timely ballot is not caused by the Election Day received-by deadline but instead by their own failure to take timely steps to effect completion and return of their ballot.” *Id.* at 26-27 (internal citation and quotation marks omitted).

Respondent further supports its argument by attaching to its Supplemental Brief a declaration of USPS Vice President Angela Curtis, which in turn attaches the statement provided by Postmaster General Louis DeJoy to the Senate Committee on Homeland Security and Governmental Affairs on August 21, 2020 and his statement of August 24, 2020, to the House Committee on Oversight and Reform. In his statement, Postmaster General Louis DeJoy addressed public accusations that the implementation of various cost-saving reforms had allegedly resulted in delays in mail delivery that threatened the timely delivery of election mail.

While disputing the validity of the accusations, the Postmaster General provided the following commitments relating to the delivery of election mail:

[R]etail hours at Post Offices won't be changed, and mail processing equipment and blue collection boxes won't be removed during this period. No mail processing facilities will be closed and we have terminated the pilot program that began in July that expedited carrier departures to their delivery routes, without plans to extend or expand it. To clear up any confusion, overtime has, and will continue to be, approved as needed. Finally, effective October 1, 2020, we will engage standby resources in all areas of our operations, including transportation, to satisfy any unforeseen demand for the election.

Statement of Postmaster General Louis DeJoy provided to Senate Committee on Homeland Security and Governmental Affairs Hearing of Aug. 21, 2020, at 14; Statement of Postmaster General Louis DeJoy provided to House Committee on Oversight and Reform of Aug. 24, 2020, at 14. Respondent emphasizes that Postmaster General DeJoy also asserted that the "USPS has not changed [its] delivery standards, [its] processing, [its] rules, or [its] prices for Election Mail[.]" and that it "can, and will, handle the volume of Election Mail [it] receive[s]." Respondent's Supplemental Brief at 10.

Finally, Respondent argues that moving the received-by deadline until after Election Day would undermine the federal designation of a uniform Election Day, as set forth in three federal statutes, specifically 3 U.S.C. § 1 ("The electors of President and Vice President shall be appointed, in each State, on the Tuesday next after the first Monday in November, every fourth year succeeding every election of a President and Vice President"); 2 U.S.C. § 7 ("The Tuesday next after the 1st Monday in November, in every even numbered year, is established as the day for the election, in each of the States and Territories of the United States, of Representatives and Delegates to the Congress commencing on the 3d day of January next thereafter."); and 2 U.S.C. § 1 ("At the regular election held in any State next preceding the expiration of the term for which any Senator was elected to represent such State in Congress is regularly by law to be chosen, a United

States Senator from said State shall be elected by the people thereof for a term commencing on the 3d day of January next thereafter.”).²³

The Caucus also files a brief with this Court arguing against the extension of the deadline for mail-in votes. It asserts that “[t]here is no constitutional right to vote by mail” and that states have broad authority to enact regulations to ensure the integrity of its elections, including mail-in ballots, as was done in Act 77, including by setting a deadline for the receipt of ballots. Caucus’s Brief at 19.

The Caucus warns that granting an extension of the mail-in ballot received-by deadline in this case “would have a cascading effect on other election code deadlines, thereby causing chaos for election officials and confusion for voters.” *Id.* at 26. It observes that the Election Code requires that Boards begin canvassing absentee and mail-in ballots within three days of Election Day and shall continue through the eighth day following the Election. *Id.* at 28 (citing 25 P.S. § 3146.8(g)(2)). Additionally, the Boards shall submit the unofficial returns to the Secretary on the Tuesday following the Election, and the Secretary must determine whether a recount is required within nine days of Election Day, citing 25 P.S. § 3154(f), (g)(2), and the Boards must certify the final results to the Secretary no later than twenty days after Election Day, citing 25 P.S. § 2642(k). It additionally asserts that federal law requires all state recounts and challenges to be “resolved at least 6 days prior to the meeting of electors,” which it asserts this year is December 14. Caucus’s Brief at 28 n.17 (citing 3 U.S.C. §§ 1, 5). The Caucus therefore urges this Court to refrain from altering the received-by deadline for mail-in ballots, asserting that the “requested injunction would override the election deadlines which were

²³ In so arguing, Respondent seemingly ignores the fact that allowing the tabulation of ballots received after Election Day does not undermine the existence of a federal Election Day, where the proposal requires that ballots be cast by Election Day, similar to the procedure under federal and state law allowing for the tabulation of military and overseas ballots received after Election Day.

fully debated and properly enacted by the peoples' representatives in the Pennsylvania General Assembly." *Id.* at 29.

Unlike other provisions of Act 77 currently before this Court, we are not asked to interpret the statutory language establishing the received-by deadline for mail-in ballots. Indeed, there is no ambiguity regarding the deadline set by the General Assembly:

Deadline.--Except as provided under 25 Pa.C.S. § 3511^[24] (relating to receipt of voted ballot), a completed mail-in ballot must be received in the office of the county board of elections no later than eight o'clock P.M. on the day of the primary or election.

25 P.S. § 3150.16(c). Moreover, we are not asked to declare the language facially unconstitutional as there is nothing constitutionally infirm about a deadline of 8:00 p.m. on Election Day for the receipt of ballots. The parties, instead, question whether the

²⁴ Section 3511 addresses the timeline for the return of ballots of uniform military and overseas voters and provides for the counting of such votes if delivered to the county board by 5 p.m. on the seventh day after Election Day:

§ 3511. Receipt of voted ballot

(a) Delivery governs.--A valid military-overseas ballot cast under section 3509 (relating to timely casting of ballot) shall be counted if it is delivered by 5 p.m. on the seventh day following the election to the address that the appropriate county election board has specified.

(b) Rule regarding postmarks.--If, at the time of completing a military-overseas ballot and balloting materials, the voter has declared under penalty of perjury that the ballot was timely submitted, the ballot may not be rejected on the basis that it has a late postmark, an unreadable postmark or no postmark.

25 Pa.C.S. § 3511.

application of the statutory language to the facts of the current unprecedented situation results in an as-applied infringement of electors' right to vote.

In considering this issue, we reiterate that the Free and Equal Elections Clause of the Pennsylvania Constitution requires that “all aspects of the electoral process, to the greatest degree possible, be kept open and unrestricted to the voters of our Commonwealth, and, also, conducted in a manner which guarantees, to the greatest degree possible, a voter’s right to equal participation in the electoral process for the selection of his or her representatives in government.” *League of Women Voters*, 178 A.3d at 804. Nevertheless, we also recognize that “the state may enact substantial regulation containing reasonable, non-discriminatory restrictions to ensure honest and fair elections that proceed in an orderly and efficient manner.” *Banfield v. Cortes*, 110 A.3d 155, 176–77 (Pa. 2015) (internal citation and quotation marks omitted).

As we have recently seen, an orderly and efficient election process can be crucial to the protection of a voter’s participation in that process. Indeed, the struggles of our most populous counties to avoid disenfranchising voters while processing the overwhelming number of pandemic-fueled mail-in ballot applications during the 2020 Primary demonstrates that orderly and efficient election processes are essential to safeguarding the right to vote. An elector cannot exercise the franchise while her ballot application is awaiting processing in a county election board nor when her ballot is sitting in a USPS facility after the deadline for ballots to be received.

We are fully cognizant that a balance must be struck between providing voters ample time to request mail-in ballots, while also building enough flexibility into the election timeline to guarantee that ballot has time to travel through the USPS delivery system to ensure that the completed ballot can be counted in the election. Moreover, we recognize that the determination of that balance is fully enshrined within the authority granted to the

Legislature under the United States and Pennsylvania Constitutions. See U.S. CONST. art. I, § 4, cl. 1; *id.* art. II, § 1, cl. 2.

Nevertheless, we find the Commonwealth Court’s rationale in *In re: General Election-1985* germane to the current challenge to the application of the ballot received-by deadline. In that case, the court recognized that, while neither the Constitution nor the Election Code specified “any procedure to follow when a natural disaster creates an emergency situation that interferes with an election,” courts could look to the direction of 25 P.S. § 3046. *In re General Election-1985*, 531 A.2d at 839. As noted, Section 3046 provides courts of common pleas the power, on the day of an election, to decide “matters pertaining to the election as may be necessary to carry out the intent” of the Election Code, which the Commonwealth Court properly deemed to include providing “an equal opportunity for all eligible electors to participate in the election process,” which in that case necessitated delaying the election during a flood. *Id.*

We have no hesitation in concluding that the ongoing COVID-19 pandemic equates to a natural disaster. See *Friends of Devito v. Wolf*, 227 A.3d 872, 888 (Pa. 2020) (agreeing “that the COVID-19 pandemic qualifies as a ‘natural disaster’ under the Emergency Code”). Moreover, the effects of the pandemic threatened the disenfranchisement of thousands of Pennsylvanians during the 2020 Primary, when several of the Commonwealth’s county election boards struggled to process the flow of mail-in ballot applications for voters who sought to avoid exposure to the virus. See, e.g., Delaware County Board of Elections’ Answer to Petition at 15, ¶ 77 (acknowledging that it “mailed out thousands of ballots in the twenty-four hour period preceding the election”). It is beyond cavil that the numbers of mail-in ballot requests for the Primary will be dwarfed by those applications filed during the upcoming highly-contested Presidential Election in the midst of the pandemic where many voters are still wary of congregating in crowded

locations such as polling places. We acknowledge that the Secretary has estimated that nearly three million Pennsylvanians will apply for mail-in applications, in contrast to the 1.5 million cast during the Primary. Secretary's Brief at 1.

In light of these unprecedented numbers and the near-certain delays that will occur in Boards processing the mail-in applications, we conclude that the timeline built into the Election Code cannot be met by the USPS's current delivery standards, regardless of whether those delivery standards are due to recent changes in the USPS's logistical procedures or whether the standards are consistent with what the General Assembly expected when it enacted Act 77. In this regard, we place stock in the USPS's General Counsel's expression that his client could be unable to meet Pennsylvania's statutory election calendar. General Counsel's Letter at 2. The Legislature enacted an extremely condensed timeline, providing only seven days between the last date to request a mail-in ballot and the last day to return a completed ballot. While it may be feasible under normal conditions, it will unquestionably fail under the strain of COVID-19 and the 2020 Presidential Election, resulting in the disenfranchisement of voters.

Under our Extraordinary Jurisdiction, this Court can and should act to extend the received-by deadline for mail-in ballots to prevent the disenfranchisement of voters. We have previously recognized that, in enforcing the Free and Equal Elections Clause, this "Court possesses broad authority to craft meaningful remedies when required." *League of Women Voters*, 178 A.3d at 822 (citing PA. CONST., art. V, §§ 1, 2, 10; 42 Pa.C.S. § 726 (granting power to "enter a final order or otherwise cause right and justice to be done")). We additionally conclude that voters' rights are better protected by addressing the impending crisis at this point in the election cycle on a statewide basis rather than allowing the chaos to brew, creating voter confusion regarding whether extensions will be granted,

for how long, and in what counties.²⁵ Instead, we act now to allow the Secretary, the county election boards, and most importantly, the voters in Pennsylvania to have clarity as to the timeline for the 2020 General Election mail-in ballot process.

After consideration, we adopt the Secretary's informed recommendation of a three-day extension of the absentee and mail-in ballot received-by deadline to allow for the tabulation of ballots mailed by voters via the USPS and postmarked by 8:00 p.m. on Election Day to reduce voter disenfranchisement resulting from the conflict between the Election Code and the current USPS delivery standards, given the expected number of Pennsylvanians opting to use mail-in ballots during the pandemic.²⁶ We observe that this extension provides more time for the delivery of ballots while also not requiring alteration of the subsequent canvassing and reporting dates necessary for the Secretary's final reporting of the election results. In so doing, we emphasize that the Pennsylvania's election laws currently accommodate the receipt of certain ballots after Election Day, as

²⁵ We recognize that we rejected a very similar argument presented in *Disability Rights Pennsylvania* on May 15, 2020, weeks prior to the Primary. *Disability Rights Pa. v. Boockvar*, No. 83 MM 2020, 2020 WL 2820467 (Pa. May 15, 2020). At that time, the potential of voter disenfranchisement was speculative as many unknowns existed relating to the magnitude of the pandemic, the extent to which voters would seek mail-in applications, and the ability of Boards to handle the increase. Those uncertainties no longer exist in light of our experience in the 2020 Primary where thousands of voters would have been disenfranchised but for the emergency actions of the courts of common pleas and the Governor.

²⁶ We likewise incorporate the Secretary's recommendation addressing ballots received within this period that lack a postmark or other proof of mailing, or for which the postmark or other proof of mailing is illegible. Accordingly, in such cases, we conclude that a ballot received on or before 5:00 p.m. on November 6, 2020, will be presumed to have been mailed by Election Day unless a preponderance of the evidence demonstrates that it was mailed after Election Day.

We emphasize that voters utilizing the USPS must cast their ballots prior to 8:00 p.m. on Election Day, like all voters, including those utilizing drop boxes, as set forth *supra*. We refuse, however, to disenfranchise voters for the lack or illegibility of a postmark resulting from the USPS processing system, which is undeniably outside the control of the individual voter.

it allows the tabulation of military and overseas ballots received up to seven days after Election Day. 25 Pa.C.S. § 3511. We conclude that this extension of the received-by deadline protects voters' rights while being least at variance with Pennsylvania's permanent election calendar, which we respect and do not alter lightly, even temporarily.

C. COUNT III OF THE PETITION FOR REVIEW

In Count III of its petition, Petitioner seeks to require that the Boards contact qualified electors whose mail-in or absentee ballots contain minor facial defects resulting from their failure to comply with the statutory requirements for voting by mail, and provide them with an opportunity to cure those defects. More specifically, Petitioner submits that when the Boards have knowledge of an incomplete or incorrectly completed ballot as well as the elector's contact information, the Boards should be required to notify the elector using the most expeditious means possible and provide the elector a chance to cure the facial defect up until the UOCAVA deadline of November 10, 2020, discussed *supra*.

Petitioner bases this claim on its assertion that the multi-stepped process for voting by mail-in or absentee ballot inevitably leads to what it describes as minor errors, such as not completing the voter declaration or using an incorrect ink color to complete the ballot. See 25 P.S. § 3146.6(a) (explaining the process for voting by absentee ballot, which requires, *inter alia*, an elector to mark the ballot using only certain writing implements and ink; and to fill out, date, and sign the declaration printed on the outer envelope); *id.* § 3150.16(a) (explaining the process for voting by mail-in ballot, which imposes the same requirements). According to Petitioner, these minor oversights result in many ballots being rejected and disenfranchising voters who believe they have exercised their right to vote.

Petitioner submits that voters should not be disenfranchised by technical errors or incomplete ballots, and that the "notice and opportunity to cure" procedure ensures that

all electors who desire to cast a ballot have the opportunity to do so, and for their ballot to be counted. Petitioner further claims there is no governmental interest in either: (1) requiring the formalities for the completion of the outside of the mailing envelope to be finalized prior to mailing as opposed to prior to counting, or (2) rejecting the counting of a ballot so long as ballots continue to arrive under federal law, which is the UOCAVA deadline of seven days after Election Day.

As legal support for its position, Petitioner relies upon the Free and Equal Elections Clause. PA. CONST. art. I, § 5 (“Elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”); see also *Winston*, 91 A. at 523 (explaining that elections are “free and equal” for constitutional purposes when, *inter alia*, “the regulation of the right to exercise the franchise does not deny the franchise itself, or make it so difficult as to amount to a denial; and when no constitutional right of the qualified elector is subverted or denied him”). It further emphasizes that election laws should be construed liberally in favor of voters, and that “[t]echnicalities should not be used to make the right of the voter insecure.” *Appeal of James*, 105 A.2d 64, 65-66 (Pa. 1954). Petitioner also asserts that ballots with minor irregularities should not be rejected, except for compelling reasons and in rare circumstances. *Id.* at 66. Based on these legal principles, as well as this Court’s “broad authority to craft meaningful remedies” when necessary, *League of Women Voters*, 178 A.3d at 822, Petitioner claims that the Pennsylvania Constitution and spirit of the Election Code require the Boards to provide a “notice and opportunity to cure” procedure, and that this Court has the authority to afford the relief it seeks.

Unlike the other claims asserted herein, the Secretary opposes Petitioner’s request for relief in this regard. She counters that there is no statutory or constitutional basis for requiring the Boards to contact voters when faced with a defective ballot and afford them

an opportunity to cure defects. The Secretary further notes that, while Petitioner relies upon the Free and Equal Elections Clause, that Clause cannot create statutory language that the General Assembly chose not to provide. See *Winston*, 91 A. at 522 (noting that “[t]he power to regulate elections is legislative”).

The Secretary submits that so long as a voter follows the requisite voting procedures, he or she “will have an equally effective power to select the representative of his or her choice.” *League of Women Voters*, 178 A.3d at 809. Emphasizing that Petitioner presents no explanation as to how the Boards would notify voters or how the voters would correct the errors, the Secretary further claims that, while it may be good policy to implement a procedure that entails notice of defective ballots and an opportunity to cure them, logistical policy decisions like the ones implicated herein are more properly addressed by the Legislature, not the courts.

Respondent echoes the Secretary’s opposition to Petitioner’s request for relief.²⁷ Specifically, it reiterates that Petitioner has failed to assert a legal basis to support imposing a “notice and opportunity to cure” procedure, noting that the Free and Equal Elections Clause does not enable courts to rewrite the Election Code to align with a litigant’s notion of good election policy. Respondent emphasizes that “ballot and election laws have always been regarded as peculiarly within the province of the legislative branch of government,” *Winston*, 91 A. at 522, and that to the extent restrictions are burdensome, relief should be sought in the Legislature. *Id.* at 525.

Respondent also discusses the practical implications of granting Petitioner’s request, expressing concern that implementing a “notice and opportunity to cure” procedure would be a monumental undertaking requiring the expenditure of significant resources, particularly on the eve of an election. Respondent thus reiterates that the

²⁷ The Caucus does not advance argument on the merits of this issue.

Legislature, not this Court, is the entity best suited to address the procedure proposed by Petitioner.

Respondent adds that the tardiness of Petitioner's request is alone a sufficient basis to deny it and that, in any event, Petitioner cannot show a "plain, palpable and clear abuse of the [legislative] power which actually infringes on the rights of the electors" with respect to this claim. *Patterson v. Barlow*, 60 Pa. 54, 75 (1869). Respondent notes that, to the contrary, a requirement that voters follow the appropriate procedures when filling out their ballots easily passes constitutional muster.

Upon review, we conclude that the Boards are not required to implement a "notice and opportunity to cure" procedure for mail-in and absentee ballots that voters have filled out incompletely or incorrectly. Put simply, as argued by the parties in opposition to the requested relief, Petitioner has cited no constitutional or statutory basis that would countenance imposing the procedure Petitioner seeks to require (*i.e.*, having the Boards contact those individuals whose ballots the Boards have reviewed and identified as including "minor" or "facial" defects—and for whom the Boards have contact information—and then afford those individuals the opportunity to cure defects until the UOCAVA deadline).

While the Pennsylvania Constitution mandates that elections be "free and equal," it leaves the task of effectuating that mandate to the Legislature. *Winston*, 91 A. at 522. As noted herein, although the Election Code provides the procedures for casting and counting a vote by mail, it does not provide for the "notice and opportunity to cure" procedure sought by Petitioner. To the extent that a voter is at risk for having his or her ballot rejected due to minor errors made in contravention of those requirements, we agree that the decision to provide a "notice and opportunity to cure" procedure to alleviate that risk is one best suited for the Legislature. We express this agreement particularly in light

of the open policy questions attendant to that decision, including what the precise contours of the procedure would be, how the concomitant burdens would be addressed, and how the procedure would impact the confidentiality and counting of ballots, all of which are best left to the legislative branch of Pennsylvania's government. Thus, for the reasons stated, the Petitioner is not entitled to the relief it seeks in Count III of its petition.

D. COUNT IV OF THE PETITION FOR REVIEW

In Count IV, Petitioner seeks a declaration that under Act 77, the Boards must "clothe and count naked ballots," *i.e.*, place ballots that were returned without the secrecy envelope into a proper envelope and count them, rather than invalidate them. It further seeks a preliminary injunction prohibiting the Boards from excluding such ballots from the canvass.

To understand the nature of a "naked ballot," as well as Petitioner's claim that such ballots are valid and should be counted, we examine the relevant provisions of Act 77. The Act directs Boards to send to the qualified mail-in elector an official mail-in ballot, the list of candidates when authorized, the uniform instructions as prescribed by the Secretary, and two envelopes to be returned to the Boards, as described in detail *infra*. 25 P.S. § 3150.14(c).

Section 3150.14(a) ("Envelopes for official mail-in ballots") explains the nature of the envelopes sent to the mail-in voter. This provision directs the Boards to "provide two additional envelopes for each official mail-in ballot of a size and shape as prescribed by the Secretary of the Commonwealth, in order to permit the placing of one within the other and both within the mailing envelope" addressed to the elector. *Id.* § 3150.14(a). On the smaller of the two envelopes to be returned to the Boards shall be printed only the words "Official Election Ballot." *Id.* On the larger envelope shall be printed: (1) "the form of the declaration of the elector;" (2) the "name and address of the county board of election of

the proper county;” and (3) “information indicating the local election district of the mail-in voter.” *Id.*

As noted, Section 3150.16(a) directs the mail-in elector to mark the ballot in secret with the enumerated ink or lead pencil and then fold the ballot, enclose it, and secure it in the smaller envelope on which is printed “Official Election Ballot.” 25 P.S. § 3150.16(a). The statute further directs the mail-in elector to place the smaller envelope into the second envelope on which is printed the form of declaration of the elector, the elector’s local election district, and the address of the elector’s county board of election. *Id.* The statute next directs the mail-in elector to fill out, date, and sign the declaration printed on the second envelope, and secure the ballot and send it by mail or deliver it in person to his or her county board of election. *Id.* A ballot is “naked” for purposes of this action if the mail-in elector fails to utilize the smaller envelope on which is printed “Official Election Ballot,” and, instead, places the official election ballot directly into the second envelope, upon which is printed the form of declaration of the elector and the address of the elector’s county board of election.

Act 77 additionally sets forth the procedure by which mail-in ballots are canvassed. *See id.* § 3146.8(a) (providing that mail-in ballots “shall be canvassed in accordance with subsection (g)”). Relevant thereto, the Act directs that mail-in ballots cast by electors who died prior to Election Day shall be rejected and not counted. *Id.* § 3146.8(d). Additionally, the Act provides that mail-in ballots shall be counted as long as: (1) election officials verify the ballots by comparing the voter’s declaration with the official voting list; and (2) the ballots are not challenged on the ground that the voter is unqualified to vote. *Id.* §§ 3146.8(g)(4); 3150.12b(a)(2). Notably, Section 3146.8(g)(4)(ii) provides that if any of the envelopes on which are printed “Official Election Ballot” “contain any text, mark or symbol which reveals the identity of the elector, the elector’s political affiliation or the

elector's candidate preference, the envelopes and the ballots contained therein shall be set aside and declared void." *Id.* § 3146.8(g)(4)(ii).

The crux of Petitioner's position is that although Act 77 directs a mail-in voter to utilize the secrecy envelope in submitting the mail-in ballot, there is no provision in the Election Code authorizing the Boards to discard a ballot on grounds that the voter failed to insert the ballot into the secrecy envelope before returning it to the Boards. Rather, Petitioner asserts, the statute directs the Boards to reject mail-in ballots only if the mail-in elector died prior to Election Day, *id.* § 3146.8(d), the ballot is unverified or challenged on grounds that the mail-in voter was unqualified to vote, *id.* § 3146.8(g)(4), or the ballot is returned in an "Official Election Ballot" envelope that contains "any text, mark or symbol which reveals the identity of the elector, the elector's political affiliation or the elector's candidate preference." *Id.* § 3146.8(g)(4)(ii). Petitioner concludes that the failure to place the ballot in a secrecy envelope does not fall within these enumerated statutory grounds which would result in an invalid mail-in ballot.

Moreover, Petitioner emphasizes that the General Assembly was aware of how to invalidate ballots for lack of a secrecy envelope, as it expressly did so in another provision of the Election Code regarding provisional ballots. See *id.* § 3050(a.4)(5)(ii)(C) (providing that a "provisional ballot shall not be counted if: . . . a provisional ballot envelope does not contain a secrecy envelope").²⁸ Had the General Assembly intended to invalidate mail-in ballots on this basis, Petitioner submits, the Legislature would have included a similar provision in Act 77, but chose not to do so.

Absent statutory authority directing the Boards to invalidate a ballot based exclusively on the lack of a secrecy envelope, Petitioner contends that the refusal to

²⁸ A provisional ballot is a ballot cast by an individual who claims to be properly registered and eligible to vote at the election district, but whose name does not appear on the district register and whose registration cannot be determined. 25 P.S. § 3050(a.4)(1).

canvass and count ballots cast without a secrecy envelope violates the Election Code, as well as the rights of electors to have their vote counted under the Free and Equal Elections Clause. It posits that rather than disenfranchising the voter in contravention of these edicts, the Boards could take corrective measures to protect privacy, such as placing the naked ballot inside a replacement secrecy envelope before canvassing.

Accordingly, Petitioner requests a declaration that naked ballots must be counted, as well as injunctive relief requiring Boards to undertake reasonable measures to protect the privacy of naked ballots cast by mail-in electors.

The Secretary's position aligns with Petitioner on this issue as she agrees that the counting of naked ballots is permitted by the Election Code and furthers the right to vote under the Free and Equal Elections Clause and the First and Fourteenth Amendments to the United States Constitution.²⁹

The Secretary contends that the secrecy envelope procedure set forth in Section 3150.16(a) is merely directory, and that this Court's longstanding precedents establish that ballots should not be disqualified based upon the failure to follow directory provisions. *See Bickhart*, 845 A.3d at 803 (holding that although the Election Code provides that an elector may cast a write-in vote for any person not printed on the ballot, a write-in vote for a candidate whose name, in fact, appears on the ballot is not invalid where there is no

²⁹ The Secretary's position herein is consistent with the directive that the Department of State distributed to the counties on May 28, 2020, indicating that there is no statutory requirement nor any authority for setting aside an absentee or mail-in ballot exclusively because the voter forgot to insert it into the official election ballot envelope. *See* Exhibit B to Petition, Directive of Deputy Secretary for Elections and Commissions Jonathan M. Marks to the county election directors, May 28, 2020. The directive further indicated that "[t]o preserve the secrecy of such ballots, the board of elections in its discretion may develop a process by which the members of the pre-canvass or canvass boards insert these ballots into empty official ballot envelopes or privacy sleeves until such time as they are ready to be tabulated." *Id.* *See also* Exhibit J to Petition, Guidance for Missing Official Election Ballot Envelopes.

evidence of fraud and the voter's intent is clear); *Wieskerger Appeal*, 290 A.2d 108, 109 (Pa. 1972) (holding that the elector's failure to mark the ballot with the statutorily enumerated ink color does not render the ballot invalid unless there is a clear showing that the ink was used for the purpose of making the ballot identifiable or otherwise indicating fraud).

The Secretary further opines that no fraud arises from counting naked ballots, considering that the naked ballot remains sealed in an envelope and the sealed ballot is certified by the elector. Accordingly, the Secretary concludes that no voter should be disenfranchised for failing to place his or her mail-in ballot in the secrecy envelope before returning it to the Boards.

In response, Respondent argues that the statutory language of Section 3150.16(a), providing that the mail-in elector "shall . . . enclose and securely seal the [ballot] in the envelope on which is printed, stamped or endorsed 'Official Election Ballot,'" is clear and constitutes a mandatory requisite to casting a mail-in ballot, and having that ballot counted. It relies on *In re Canvass of Absentee Ballots of Nov. 4, 2003 Gen. Election*, 843 A.2d 1223 (Pa. 2004) ("*Appeal of Pierce*"), where this Court held that the use of the term "shall" in Section 3146.6(a) of the Election Code, providing that the elector "shall" send an absentee ballot or deliver the ballot in person, carries a mandatory meaning, thereby precluding third parties from hand-delivering absentee ballots to county election boards, and invalidating those ballots that were hand-delivered by a third party. Respondent submits that Section 3150.16(a) requires the same invalidation of ballots where the mandatory statutory requisite of enclosing the ballot in a secrecy envelope is ignored.

Respondent observes that the Election Code further directs election officials to "set aside and declare[] void" a ballot whose secrecy envelope contains "any text, mark, or

symbol which reveals the identity of the elector, the elector's political affiliation or the elector's candidate preference." 25 P.S. § 3146.8(g)(4)(ii). Citing *Appeal of Weiskerger*, *supra*, it argues that the purpose of this provision is to prevent the disclosure of the elector's identity. Respondent posits that a ballot unclothed by a secrecy envelope and placed directly in the outer envelope also discloses the elector's identity because the outer envelope contains the elector's signed declaration. Thus, it concludes, Section 3146.8(g)(4)(ii) requires invalidation of any ballot contained in an envelope that reveals the identity of the voter, regardless of whether that envelope is a secrecy envelope or an outer envelope. To hold to the contrary, Respondent argues, would violate Article VII, Section 4 of the Pennsylvania Constitution, which provides, in relevant part, that "secrecy in voting shall be preserved." PA. CONST. art. VII, § 4.³⁰

Respondent discounts the Secretary's suggestion that because there is no fraud involved in the submission of a naked ballot, the ballot should be counted. The secrecy envelope provision of the statute, in Respondent's view, advances the distinct constitutional interest of protecting the sanctity of the ballot by preventing the ballot from disclosing the elector's identity. The significance of this interest, it submits, distinguishes this matter from cases involving noncompliance with minor procedural demands set forth in the Election Code, such as the color of ink used to mark a ballot or the listing of a write-in candidate whose name already appears on the ballot. Accordingly, Respondent requests that we deny Petitioner's request for declaratory and injunctive relief.

The Caucus reiterates all of the arguments expressed by Respondent. It contends that in addition to violating voter secrecy, the counting of naked ballots raises the concern of voter fraud. It contends that when a ballot arrives at the county election board without

³⁰ Article VII, Section 4 ("Method of elections; secrecy in voting") states, in full, that "[a]ll elections by the citizens shall be by ballot or by such other method as may be prescribed by law: Provided, That secrecy in voting be preserved." PA CONST. art. VII, § 4.

the protective shield of a sealed privacy envelope, the election official cannot guarantee that the ballot travelled from the voter's hand to the county election board without compromise. It argues that there is no way for the election official to verify that the vote was accurately recorded, because the mere act of ascertaining the voter's identity from the elector's declaration may violate the secrecy protections of Article VII, Section 4. The Caucus concludes that the only way to be certain that no fraud has taken place is to reject all naked ballots.

Turning now to our analysis, we observe that, in determining the propriety of naked ballots, we must ascertain the General Assembly's intention by examining the statutory text of the secrecy envelope provision to determine whether it is mandatory or directory, as that will govern the consequences for non-compliance. *See JPay, Inc. v. Dep't of Corr. & Governor's Office of Admin.*, 89 A.3d 756, 763 (Pa. Cmwlth. 2014) (internal citation omitted) (observing that "[w]hile both mandatory and directory provisions of the Legislature are meant to be followed, the difference between a mandatory and directory provision is the consequence for non-compliance: a failure to strictly adhere to the requirements of a directory statute will not nullify the validity of the action involved").

Upon careful examination of the statutory text, we conclude that the Legislature intended for the secrecy envelope provision to be mandatory. We respectfully reject the contentions of Petitioner and the Secretary that because the General Assembly did not delineate a remedy narrowly linked to the mail-in elector's failure to utilize a secrecy envelope, the language of the Election Code is directory, and an elector's violation of the command inconsequential.

As noted, Section 3150.16(a) provides:

[The mail-in elector] shall, in secret, . . . enclose and securely seal the [ballot] in the envelope on which is printed, stamped or endorsed "Official Election Ballot." This envelope shall then be placed in the second one, on which is printed the form of declaration of the elector, and the address of

the elector's county board of election and the local election district of the elector.

Id.

This statutory text must be read *in pari materia*³¹ with Subsection 3146.8(g)(4)(ii), which also speaks directly to secrecy envelopes, providing:

If any of the envelopes on which are printed, stamped or endorsed the words 'Official Election Ballot' contain any text, mark or symbol which reveals the identity of the elector, the elector's political affiliation or the elector's candidate preference, the envelopes and the ballots contained therein shall be set aside and declared void.

25 P.S. § 3146.8(g)(4)(ii).

These provisions make clear the General Assembly's intention that, during the collection and canvassing processes, when the outer envelope in which the ballot arrived is unsealed and the sealed ballot removed, it should not be readily apparent who the elector is, with what party he or she affiliates, or for whom the elector has voted. The secrecy envelope properly unmarked and sealed ensures that result, unless it is marked with identifying information, in which case that goal is compromised. Whatever the wisdom of the requirement, the command that the mail-in elector utilize the secrecy envelope and leave it unblemished by identifying information is neither ambiguous nor unreasonable.

³¹ Section 1932 of our Statutory Construction Act, "Statutes in pari materia," provides:

(a) Statutes or parts of statutes are *in pari materia* when they relate to the same persons or things or to the same class of persons or things.

(b) Statutes *in pari materia* shall be construed together, if possible, as one statute.

1 Pa.C.S. § 1932.

As noted cogently by Respondent, this case is distinguishable from those cases relied upon by the Secretary, which deemed mandatory language merely directory and without consequence. For example, in *Bickhart*, 845 A.2d at 795, the Court declined to invalidate a write-in vote cast for a candidate who was named on the ballot proper. In reaching that conclusion, the Court observed that “ballots containing mere minor irregularities should only be stricken for compelling reasons,” noting that marking a ballot is an imprecise process, the focus of which is upon the “unmistakable registration of the voter’s will in substantial conformity to the statutory requirements.” *Bickhart*, 845 A.2d at 798-99 (internal quotation marks and citations omitted).

Similarly, in *Appeal of Weiskerger*, *supra*, this Court declined to invalidate a ballot based upon the “minor irregularity” that it was completed in the wrong color of ink. The statute at issue provided: “Any ballot that is marked in blue, black or blue-black ink . . . shall be valid and counted.” 290 A.2d at 109 (citing 25 P.S. § 3063). Thus, the only mandatory direction it provided was for the canvassers who receive the ballots, not the electors who prepared them. In providing that ballots completed in the right color must be counted, the Legislature neither stated nor implied that ballots completed in a different color must not be counted. Neither statutory provision at issue in *Bickhart* nor *Weiskerger* contained anything analogous to the directive at issue in this case, which involves secrecy in voting protected expressly by Article VII, Section 4 of this Court’s state charter.

As posited by Respondent, most analogous to the instant case is our decision in *Appeal of Pierce*. There, we held that the Election Code’s “in-person” ballot delivery requirement, see 25 P.S. § 3146.6, was mandatory, and that votes delivered by third persons must not be counted. The provision in question unambiguously provided that

“the elector shall send [the absentee ballot] by mail, postage [prepaid], except where franked, or deliver it in person to [said county] board of election.” *Appeal of Pierce*, 843 A.2d at 1231 (quoting 25 P.S. § 3146.6(a)). The parties seeking to ensure that votes delivered by third parties would be counted cited *Weiskerger* and its flexibility with respect to “minor irregularities.”

This Court, however, was unpersuaded and declined the invitation to interpret “shall” as anything less than mandatory. Moreover, the Court rejected precisely the same reasoning for interpreting “shall” as directory that Petitioner and the Secretary offer in this case. As in the instant case, the provision of the Election Code at issue in *Appeal of Pierce* did not expressly provide for voiding a ballot delivered by someone other than the voter. Nevertheless, we held that to construe the in-person requirement “as merely directory would render its limitation meaningless and, ultimately, absurd.” *Id.* at 1232. The Court further distinguished *Weiskerger* and its safe harbor for “minor irregularities,” noting that the in-person requirement served the salutary purpose of “limit[ing] the number of third persons who unnecessarily come in contact with the ballot[,]. . . provid[ing] some safeguard that the ballot was filled out by the actual voter, . . . and that once the ballot has been marked by the actual voter in secret, no other person has the opportunity to tamper with it.” *Id.* The provision thus served the spirit of the Code, “which requires that a voter cast his ballot alone, and that it remain secret and inviolate.” *Id.*

Petitioner and the Secretary attempt to distinguish *Appeal of Pierce* by emphasizing that there was no statutory provision in that case that was inconsistent with the judicially inferred remedy, such as the provisional ballot secrecy envelope provision in this case. They assert that here, by contrast, the Legislature has directed the

disqualification of provisional ballots not enclosed in the secrecy envelope, and of mail-in ballots with certain markings on the secrecy envelope, rendering its silence with regard to omitted secrecy envelopes for mail-in ballots all the more conspicuous.

The clear thrust of *Appeal of Pierce*, however, is that, even absent an express sanction, where legislative intent is clear and supported by a weighty interest like fraud prevention, it would be unreasonable to render such a concrete provision ineffective for want of deterrent or enforcement mechanism. What we learn from that decision is that violations of the mandatory statutory provisions that pertain to integral aspects of the election process should not be invalidated *sub silentio* for want of a detailed enumeration of consequences.

We must in all instances assume that the General Assembly does not intend a statute to be interpreted in a way that leads to an absurd or unreasonable result. See 1 Pa.C.S. § 1922(1) (“In ascertaining the intention of the General Assembly in the enactment of a statute the following presumptions . . . may be used: (1) That the General Assembly does not intend a result that is absurd, impossible of execution or unreasonable.”). The result proffered by Petitioner and the Secretary is no more reasonable than that which the Court in *Appeal of Pierce* found untenable. The Court in *Appeal of Pierce* viewed a textual mandate pertaining to fraud prevention and ballot secrecy as signaling the Legislature’s intent that its violation would require voiding the ballot, notwithstanding no statutory provision to that effect. To avoid an absurd result, it inferred that intent from nothing more than the provision itself.

We reach the same result here. It is clear that the Legislature believed that an orderly canvass of mail-in ballots required the completion of two discrete steps before

critical identifying information on the ballot could be revealed. The omission of a secrecy envelope defeats this intention. Moreover, in providing for the disqualification of mail-in ballots that arrive in secrecy envelopes that bear markings identifying the elector, the elector's party affiliation, or the elector's vote, all categories of information that appear on the ballot itself, the Legislature signaled beyond cavil that ballot confidentiality up to a certain point in the process is so essential as to require disqualification. Thus, we find that our holding in *Appeal of Pierce* leads to the inescapable conclusion that a mail-in ballot that is not enclosed in the statutorily-mandated secrecy envelope must be disqualified.

Accordingly, we hold that the secrecy provision language in Section 3150.16(a) is mandatory and the mail-in elector's failure to comply with such requisite by enclosing the ballot in the secrecy envelope renders the ballot invalid.

E. COUNT V OF THE PETITION FOR REVIEW

In Count V of its petition, Petitioner seeks a declaration specifying that the poll watcher residency requirement, found in Section 2687(b) of the Election Code, 25 P.S. §2687(b), does not violate state or federal constitutional rights.³² Petition at 55, ¶ 207. The Secretary concurs with Petitioner in this regard.

The Election Code permits candidates and political parties to appoint "poll watchers" to monitor the integrity of the voting process.³³ "Each watcher so appointed

³² Specifically, Petitioner maintains that the poll watcher residency requirement does not violate the United States Constitution's First Amendment, the Fourteenth Amendment, the Equal Protection Clause, or the Equal Protection and Free and Equal Elections Clauses of the Pennsylvania Constitution.

³³ Section 2687(a) provides:

must be a qualified registered elector of the county in which the election district for which the watcher was appointed is located.” 25 P.S. § 2687(b). This provision, in full, specifies:

Each watcher so appointed must be a qualified registered elector of the county in which the election district for which the watcher was appointed is located. Each watcher so appointed shall be authorized to serve in the election district for which the watcher was appointed and, when the watcher is not serving in the election district for which the watcher was appointed, in any other election district in the county in which the watcher is a qualified registered elector: Provided, That only one watcher for each candidate at primaries, or for each party or political body at general, municipal or special elections, shall be present in the polling place at any one time from the time that the election officers meet prior to the opening of the polls under section 1208 until the time that the counting of votes is complete and the district register and voting check list is locked and sealed, and all watchers in the room shall remain outside the enclosed space. It shall not be a requirement that a watcher be a resident of the election district for which the watcher is appointed. After the close of the polls and while the ballots are being counted or voting machine canvassed, all the watchers shall be permitted to be in the polling place outside the enclosed space. Each watcher shall be provided with a certificate from the county board of elections, stating his name and the name of the candidate, party or political body he represents. Watchers shall be required to show their certificates when requested to do so. Watchers allowed in the polling place under the provisions of this act, shall be permitted to keep a list of voters and shall be entitled to challenge any person making application to vote and to require proof of his qualifications, as provided by this act. During those intervals when voters are not present in the polling place either voting or waiting to vote, the judge of elections shall permit watchers, upon request, to inspect the voting check list and either of the two numbered lists of voters maintained by the county board: Provided, That the watcher shall not mark upon or alter these official

Each candidate for nomination or election at any election shall be entitled to appoint two watchers for each election district in which such candidate is voted for. Each political party and each political body which had nominated candidates in accordance with the provisions of this act, shall be entitled to appoint three watchers at any general, municipal or special election for each election district in which the candidates of such party or political body are to be voted for. Such watchers shall serve without expense to the county.

25 P.S. § 2687(a).

election records. The judge of elections shall supervise or delegate the inspection of any requested documents.

25 P.S. § 2687(b) (footnote omitted).

Petitioner observes that the General Assembly enacted the current poll watcher residency requirement in 2004 and that no changes were made to this requirement in Act 77. Petitioner asserts that this provision does not suffer from any constitutional infirmities and notes that the provision has been upheld as constitutional by the federal District Court for the Eastern District of Pennsylvania in *Republican Party of Pennsylvania v. Cortés*, 218 F. Supp. 3d 396 (E.D. Pa. 2016), discussed further below.

The Secretary likewise maintains that the poll watcher residency requirement is constitutional. The Secretary notes that the United States Supreme Court in *Anderson v. Calabrezza*, 460 U.S. 780 (1983), recognized the importance of States in regulating elections. There, the Court stated,

We have recognized that, ‘as a practical matter, there must be a substantial regulation of elections if they are to be fair and honest and if some sort of order, rather than chaos, is to accompany the democratic processes.’

Id. at 788 (citing *Storer v. Brown*, 415 U.S. 724, 730, (1974)). In this regard, the Secretary observes that the Election Code provides a comprehensive scheme of regulations for voting and elections in the Commonwealth. The Secretary maintains that these regulatory interests are generally considered sufficient to justify reasonable, nondiscriminatory restrictions on elections. *Id.*; see also *Timmons v. Twin Cities Area New Party*, 520 U.S. 351, 358 (1997) (specifying that “[s]tates may, and inevitably must, enact reasonable regulations of parties, elections, and ballots to reduce election- and campaign-related disorder”).

Regarding the provisions in the Election Code requiring that poll watchers be qualified registered electors from the county in which they serve, like Petitioner, the

Secretary observes that although this Court has not previously addressed the question of whether this requirement is constitutional, the federal District Court for the Eastern District of Pennsylvania has done so and rejected a constitutional challenge to the poll watcher residency requirement in *Cortés, supra*.

Specifically, there, the District Court considered a constitutional challenge to Section 2687(b) of the Election Code by the respondent here. Respondent claimed that the poll watcher residency requirement found at Section 2687(b), requiring poll watchers to reside in the county in which they serve, is violative of its Fourteenth Amendment rights to due process and equal protection and their rights to free speech and association under the First Amendment.

The District Court rejected these claims, noting first, that the regulation does not violate due process or equal protection. The court observed that serving as a poll watcher does not implicate a fundamental constitutional right, like the right to vote, but rather, is a right conferred by statute. *Id.* at 408. Additionally, the court found that because the state's regulation of the qualifications of who may serve as a poll watcher does not burden one's voting rights or any other constitutional right, the state imposing the regulation need only cite a rational basis for the regulation to be upheld. *Id.* (citing *Donatelli v. Mitchell*, 2 F.3d 508, 514 & n.10 (3d Cir. 1993) (declining to apply intermediate scrutiny standards because the plaintiffs' fundamental rights were not burdened by state law)); and *Voting for Am., Inc. v. Andrade*, 488 Fed.Appx. 890, 899 (5th Cir. 2012) (applying rational basis review as opposed to an intermediate balancing test because state election law did not implicate or burden specific constitutional rights). In this regard, the court concluded as follows:

There is a rational basis for Section 2678(b)'s requirement that poll watchers be qualified electors in the county in which they work. The Secretary notes that in 1937, the General Assembly enacted a county-based scheme to manage elections within the state, and consistent with that

scheme the legislature endeavored to allow county election officials to oversee a manageable portion of the state in all aspects of the process, including in credentialing poll watchers. In short, Pennsylvania opted to design a county-by-county system of elections; in doing so it ensured as much coherency in this patchwork system as possible. To that end it ensured that participants in the election--voters and watchers alike--were qualified electors in the relevant county. The legislature's decision to allow county election officials to credential only poll watchers from their own county is rationally related to the state's interest in maintaining its county-run election system; each county election official is tasked with managing credentials for a discrete part of the state's population. As the Secretary's counsel noted at the hearing, the legislature chose to 'draw the lines' at the county level, something entirely rational in fashioning a scheme for a state as large as Pennsylvania.

Cortés, 218 F.Supp. 3d at 409.

The District Court, likewise, rejected Respondent's claims that Section 2687 violates the First Amendment. The court first noted that courts have found that "poll watching is not incidental to" the right of free association and has "no distinct First Amendment protection." *Id.* at 414 (citing *Cotz v. Mastroeni*, 476 F.Supp.2d 332, 364 (S.D. N.Y. 2007); and *Dailey v. Hands*, No. 14-00423, 2015 WL 1293188, at *5 (S.D. Ala. Mar. 23, 2015) ("[P]oll watching is not a fundamental right protected by the First Amendment.")). Moreover, the court found that poll watchers do not engage in core political speech while completing their duties. *Id.* at 415. Rather, the court observed that "when a poll watcher reports incidents of violations, he is performing a public function delegated by the state." *Id.* (citing *Flagg Bros., Inc. v. Brooks*, 436 U.S. 149, 158 (1978) (stating that "[w]hile the Constitution protects private rights of association and advocacy with regard to the election of public officials, [the Supreme Court] cases make it clear that the conduct of the elections themselves is an [e]xclusively public function.")). Thus, the District Court found that the Commonwealth's county poll watcher residency requirement did not implicate poll watchers' private rights of association or advocacy and, therefore, did not violate the First Amendment.

Respondent again maintains that the poll watcher residency requirement set forth in the Election Code is unconstitutional.³⁴ First, Respondent maintains that *Cortés* is distinguishable from this matter because of the procedural posture and the timing of that case. Specifically, Respondent emphasizes the fact that in *Cortés* it sought a preliminary injunction eighteen days before the general election and that on this basis the court found the request for relief to be untimely. Thus, it contends that the court's further discussion of the constitutionality of the poll watcher residency requirement was *dicta*.

Additionally, Respondent argues that the court in *Cortés*, like the Secretary here, gave short shrift to the Commonwealth's obligation to safeguard the electorate from voter fraud, noting that "every voter in a federal . . . election, whether he votes for a candidate with little chance of winning or for one with little chance of losing, has a right under the Constitution to have his vote fairly counted, without its being distorted by fraudulently cast votes." Respondent's Brief at 45 (citing *Anderson v. United States*, 417 U.S. 211, 227 (1974)). Respondent maintains that due to the distribution of voters throughout the Commonwealth, the county residency requirement makes it difficult for both political parties to identify poll watchers in all precincts. Thus, it asserts that, in the absence of poll watchers, "fraud can flourish." *Id.* at 46. Respondent further argues that with Pennsylvania moving to an entirely new election regime under Act 77, with alleged increased opportunities for ballot fraud and tampering, the need for poll watchers is heightened.

Turning to the merits, initially, regarding Respondent's assertion that the District Court's discussion of the constitutionality of the poll watcher residency requirement constitutes *dicta* because the court found the claims there to be untimely, we note that

³⁴ The Caucus does not advocate in favor of finding the poll watcher residency requirement unconstitutional.

although that court pointed out that the emergent nature of Respondent's claims amounted to a "judicial fire drill" based on their late filing, the court opined further that the relief sought "would be inappropriate for a number of reasons, not the least of which is that at this late hour courts should not disrupt an impending election 'absent a powerful reason for doing so.'" *Cortés*, 218 F.Supp.3d. at 405 (citation omitted). The court then went on to analyze the merits of the constitutional claims asserted and denied relief. Accordingly, it appears the court made its decision on multiple bases, including the merits as well as the timing of the claims. Moreover, regardless of the status of the District Court's determination of the constitutional issues presented there, we find its analysis persuasive and agree with its reasoning in upholding the constitutionality of the poll watcher residency requirement.

The "times, places and manner" of conducting elections generally falls to the states. U.S. CONST. art. I, § 4 (providing that "the Times, Places and Manner of holding Elections...shall be prescribed in each State by the Legislature thereof"). Pennsylvania has enacted a comprehensive code of election laws pursuant to its authority to regulate its elections. The General Assembly, in enacting its comprehensive scheme, has required that any person serving as a poll watcher for a particular candidate or party be a resident of the county in which she serves in her position. 25 P.S. § 2687(b).

This provision is a legislative enactment which enjoys the presumption that the General Assembly did not intend to violate constitutional norms, "in part because there exists a judicial presumption that our sister branches take seriously their constitutional oaths." *Stilp v. Commonwealth*, 905 A.2d 918, 938–39 (Pa. 2006); see also 1 Pa.C.S. §1922(3). Accordingly, a statute is presumed to be valid, and will be declared unconstitutional only if it is shown to be "clearly, palpably, and plainly [violative of] the

Constitution.” *West Mifflin Area School District v. Zahorchak*, 4 A.3d 1042, 1048 (Pa. 2010).

In analyzing whether a state election law violates the constitution, courts must first examine the extent to which a challenged regulation burdens one’s constitutional rights. *Burdick v. Takushi*, 504 U.S. 428, 434 (1992). Upon determining the extent to which rights are burdened, courts can then apply the appropriate level of scrutiny needed to examine the propriety of the regulation. See *id.* (indicating that “the rigorousness of our inquiry into the propriety of a state election law depends upon the extent to which a challenged regulation burdens First and Fourteenth Amendment rights”).

Where a state election regulation imposes a “severe” burden on a plaintiff’s right to vote, strict scrutiny applies and requires that the regulation is “narrowly drawn to advance a state interest of compelling importance.” *Id.* When a state election law imposes only “reasonable, nondiscriminatory restrictions,” upon the constitutional rights of voters, an intermediate level of scrutiny applies, and “the State’s important regulatory interests are generally sufficient to justify” the restrictions. See *Id.* (upholding Hawaii’s ban on write-in voting in the primary where doing so places a minimal burden on one’s voting right and supports the state’s interest in supporting its ballot access scheme). Where, however, the law does not regulate a suspect classification (race, alienage, or national origin) or burden a fundamental constitutional right, such as the right to vote, the state need only provide a rational basis for its imposition. See *Donatelli*, 2 F.3d at 510 & 515.

In examining the constitutionality of the poll watcher residency provision at issue here, we conclude, as the District Court in *Cortés* concluded, that it imposes no burden on one’s constitutional right to vote and, accordingly, requires only a showing that a rational basis exists to be upheld. In this regard, as the District Court aptly noted, there

is no individual constitutional right to serve as a poll watcher; rather, the right to do so is conferred by statute. *Cortés*, 218 F.Supp.3d at 408. Additionally, courts have indicated that “poll watching is not incidental to” the right of free association and, thus, “has no distinct First Amendment protection.” *Cotz*, 476 F.Supp.2d at 364. Finally, poll watching does not implicate core political speech. *Cortés*, 218 F.Supp.3d at 415.

As the poll watcher county residency requirement does not burden one’s constitutional voting rights, the regulation need only be shown to satisfy a rational basis for its imposition. Again, as the District Court aptly recounted, from its inception, Pennsylvania has envisioned a county-based scheme for managing elections within the Commonwealth. Consistent therewith, the Legislature has endeavored to allow county election officials to oversee and manage their portion of the state in all aspects of the election process, including credentialing poll watchers. Given that Pennsylvania’s General Assembly chose a county-based scheme for conducting elections, it is reasonable that the Legislature would require poll watchers, who serve within the various counties of the state, to be residents of the counties in which they serve. Thus, there is a clear rational basis for the county poll watcher residency requirement, and we determine, therefore, that this requirement should be upheld.

Respondent does not claim that poll watching involves a fundamental constitutional right or that a level of scrutiny other than rational basis needs to be shown regarding the regulation of poll watcher qualifications. Instead, Respondent claims that poll watchers are vital to protect against voter fraud and that because of the distribution of voters throughout Pennsylvania, the residency requirement makes it difficult to identify poll watchers in all precincts. While Respondent asserts the greater need for poll watchers because of heightened election fraud involving mail-in voting, these claims are

unsubstantiated and are specifically belied by the Act 35 report issued by the Secretary on August 1, 2020, concerning mail in voting in the Primary Election, finding:

[D]ata provided by the counties reinforces numerous independent studies that conclude that mail ballot fraud is exceedingly rare, and it demonstrates that the errors that occurred [in the Primary Election] accounted for a very small fraction of the nearly 1.5 million absentee and mail-in ballots requested and cast by voters.

Pennsylvania 2020 Primary Election Act 35 of 2020 Report at 39; Appendix to Petitioner's Brief, Exhibit F. Moreover, Respondent's speculative claim that it is "difficult" for both parties to fill poll watcher positions in every precinct, even if true, is insufficient to transform the Commonwealth's uniform and reasonable regulation requiring that poll watchers be residents of the counties they serve into a non-rational policy choice.

Based on the foregoing, we conclude that the poll watcher residency requirement does not violate the state or federal constitutions.³⁵ Accordingly, we grant the relief sought by Petitioner in their petition for review and declare the poll watcher residency requirement set forth in Section 2687(b) of the Election Code, 25 P.S. § 2687(b), to be constitutional.

IV. CONCLUSION

Based on our disposition of all of the claims set forth above, we grant relief on the claims set forth in Counts I, II, and V of the Democratic Party's petition for review as follows and hold that: (Count I) the Election Code permits county boards of election to collect hand-delivered mail-in ballots at locations other than their office addresses including drop-boxes as indicated herein, *see supra*. at 20 n. 15; (Count II) a three-day extension of the absentee and mail-in ballot received-by deadline is adopted such that

³⁵ Respondent has not asserted that the Pennsylvania Constitution offers greater protection under the circumstances presented. Thus, for purposes of our review, we treat them as co-extensive.

ballots mailed by voters via the United States Postal Service and postmarked by 8:00 p.m. on Election Day , November 3, 2020, shall be counted if they are otherwise valid and received by the county boards of election on or before 5:00 p.m. on November 6, 2020; ballots received within this period that lack a postmark or other proof of mailing, or for which the postmark or other proof of mailing is illegible, will be presumed to have been mailed by Election Day unless a preponderance of the evidence demonstrates that it was mailed after Election Day; (Count V) the poll watcher residency requirement set forth in Section 2687(b) of the Election Code, 25 P.S. § 2687(b), is constitutional. Also, for the reasons set forth herein, we deny the relief sought in Count III and IV of the petition for review.

Justices Todd, Dougherty, and Wecht join the opinion.

Chief Justice Saylor and Justice Mundy join Parts I, II, and III(C), (D) and (E) of the opinion.

Justice Donohue joins Parts I, II, and III(A), III(C), III(D) and III(E) of the opinion.

Justice Wecht files a concurring opinion.

Chief Justice Saylor files a concurring and dissenting opinion in which Justice Mundy joins.

Justice Donohue files a concurring and dissenting opinion in which Chief Justice Saylor and Justice Mundy join Part II.

Judgment Entered 09/17/2020



DEPUTY PROTHONOTARY